



LEGISLATION  
of the  
Western Region of Nigeria  
1957

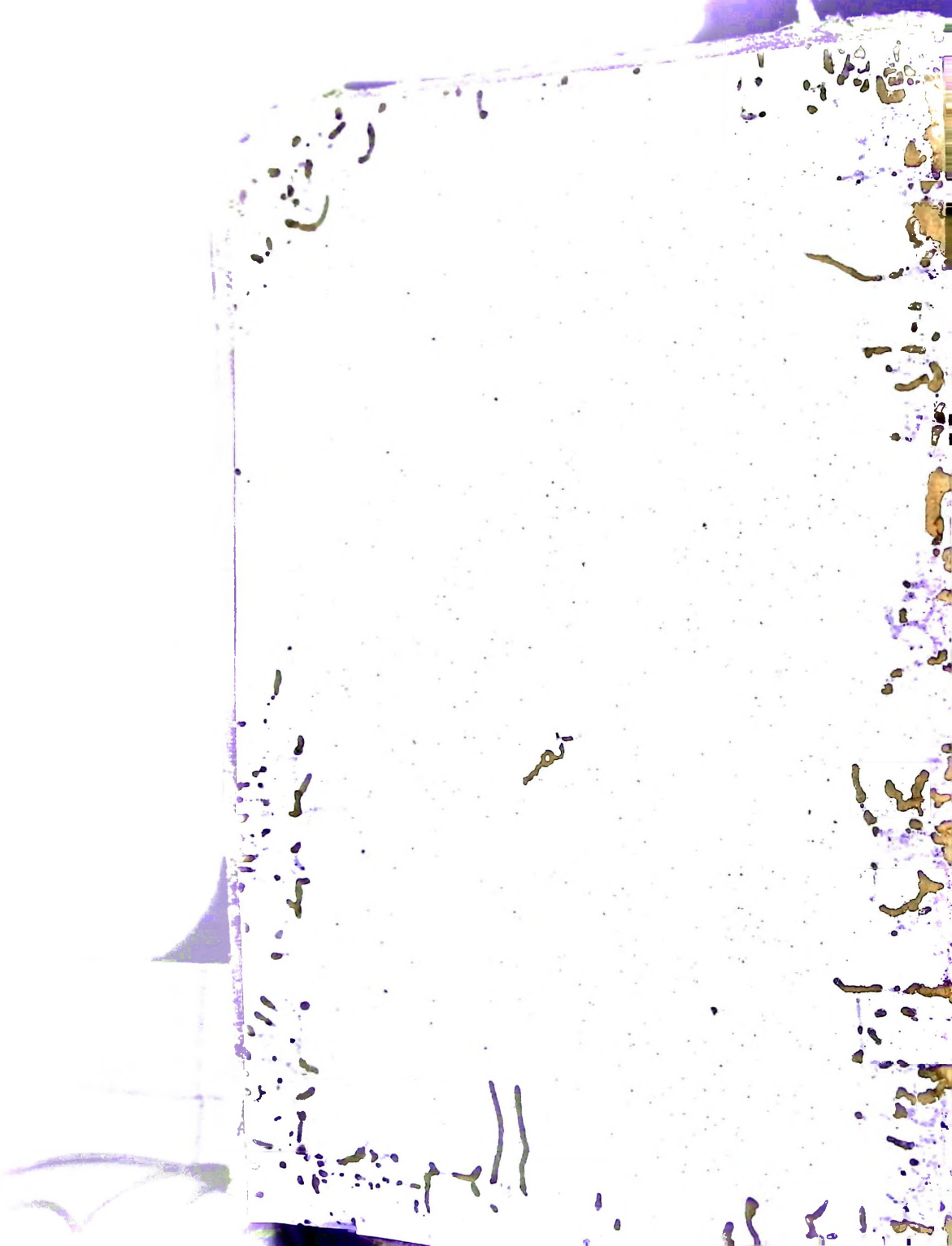
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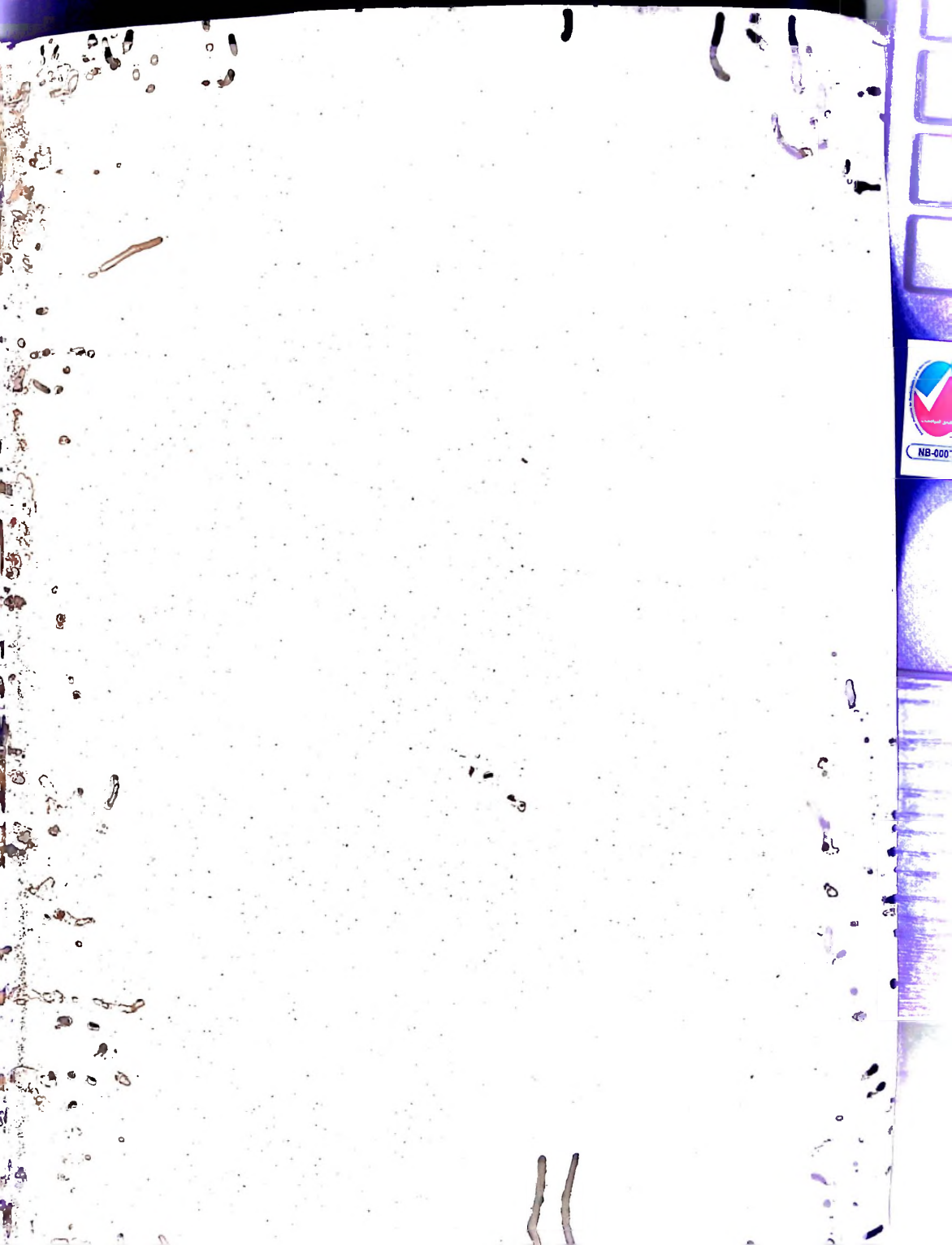
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Annual Volume  
*of*  
**THE LAWS**  
*of the*  
**Western Region of Nigeria**  
**1957**

*containing*

**THE LAWS OF THE WESTERN REGION OF NIGERIA  
AND SUBSIDIARY LEGISLATION MADE THEREUNDER**



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Cap. 88	Illiterates Protection Ordinance	Repealed	
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Cap. 185	Public Lands Acquisition Ordinance.	Section 2 amended	9
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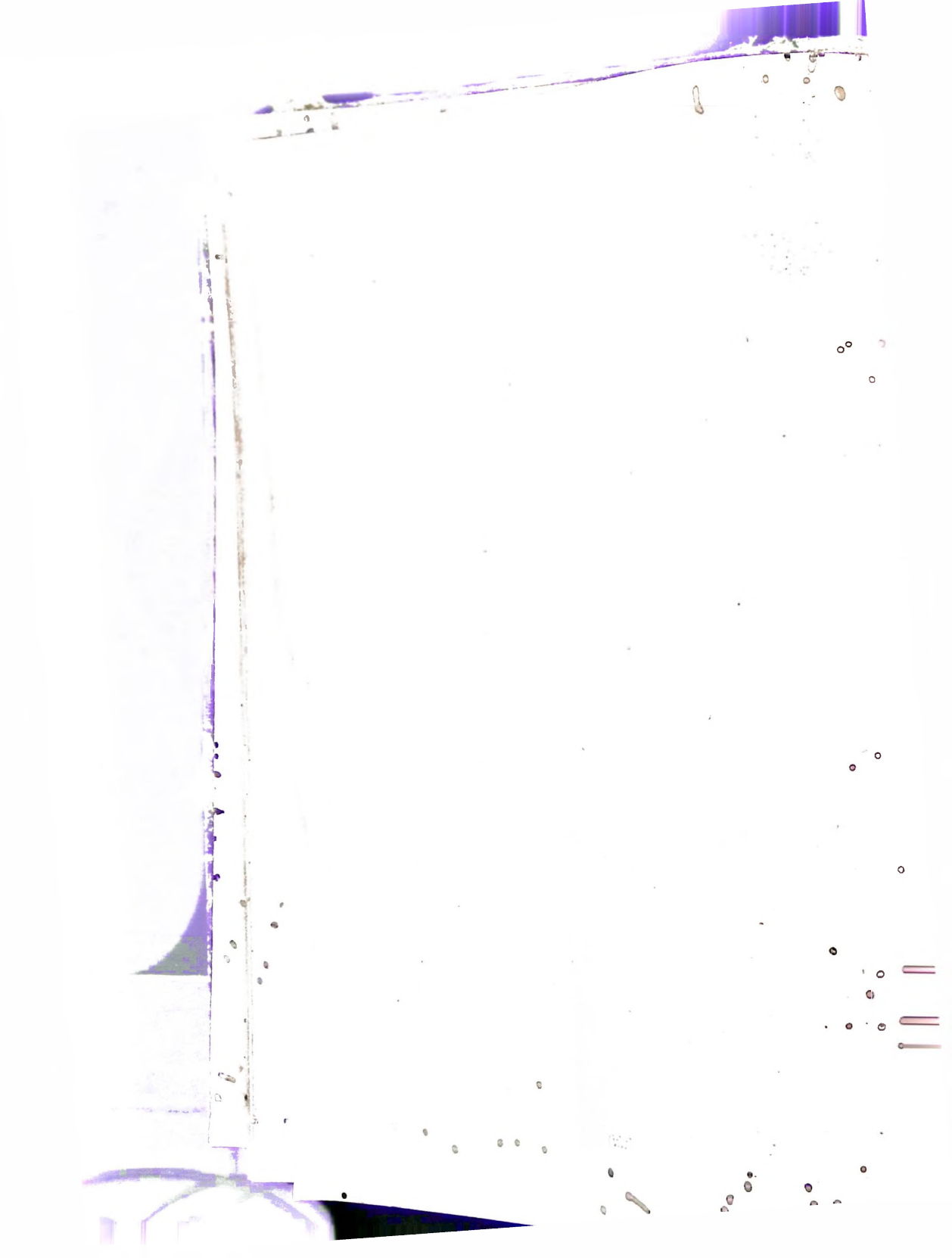
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Assented to in Her Majesty's name this 7th day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 1



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

**A LAW TO REPEAL THE EX-NATIVE OFFICE HOLDERS REMOVAL  
ORDINANCE.**

[21st February, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

1. This Law may be cited as the Ex-Native Office Holders Removal (Repeal) Law, 1956. Enactment.  
Short title.

Repeal and  
saving Laws  
of Nigeria  
1948,  
Cap. 68.

2. (1) The Ex-Native Office Holders Removal Ordinance is hereby repealed.

(2) The repeal of the aforesaid Ordinance shall not affect any order of removal made under the authority thereof before the date of such repeal nor the liability of any person removed by virtue of any such order in respect of any act done by him whether before or after the date of such repeal nor shall it affect any of the powers conferred on the Governor by the said Ordinance in respect of any such order whether exercised before or after such repeal.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 7th day of February, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 2

1957



Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF

## HER MAJESTY QUEEN ELIZABETH II

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO AMEND THE WESTERN REGION HIGH COURT LAW, 1954.

[21st February, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

1. This Law may be cited as the Western Region High Court (Amendment) Law, 1956. Enactment.  
Short title.

2. For sub-section (1) of section 4 of the Western Region High Court Law, 1954 (hereinafter referred to as the principal Law) there shall be substituted the following sub-section— Replace-  
ment of  
section 4 (1)  
of Law No. 3  
of 1955.

“Constitu-  
tion of the  
Court.

4. (1) The Court shall consist of a Chief Justice and judges who shall be appointed by the Governor by Instrument under the public seal of the Western Region in accordance with such instructions as he may receive from Her Majesty, and the number of such judges shall be such as the Governor may direct.

The Chief Justice and judges shall hold office during Her Majesty's pleasure :

Provided that the office of a judge shall in any case become vacant—

(i) if he resigns his office by writing under his hand addressed to the Governor ; or

(ii) when he attains the age of sixty-two years or, if the Governor, acting in his discretion, so directs, within six months of his attaining that age."

Replace-  
ment of  
section 8 (1)  
of Law No. 3  
of 1955.

3. For sub-section (1) of section 8 of the principal Law there shall be substituted the following sub-section—

"Vacancies  
and  
devolution  
of duties.

8. (1) (i) If the office of Chief Justice is vacant, or if the Chief Justice is for any reason unable to perform the functions of his office, then, until a person has been appointed to and has assumed the functions of that office or until the Chief Justice has resumed those functions, as the case may be, those functions shall be performed by such one of the other judges of the High Court as the Governor, acting in his discretion, may appoint for that purpose ; and

(ii) if the office of a judge other than the Chief Justice, is vacant, or if any such judge is appointed to act as Chief Justice or is for any reason unable to perform the functions of his office, the Governor, acting in his discretion, may appoint a fit and proper person qualified as provided in section 5 to act as a judge."

Replace-  
ment of  
section 9 (2)  
of Law No. 3  
of 1955.

4. For sub-section (2) of section 9 of the principal Law there shall be substituted the following sub-section—

"(2) the other judges shall take precedence after the Chief Justice in such order as the Governor may assign."

Amendment  
of section 55  
of Law No. 3  
of 1955.

5. For the expression "Minister of Justice" in sub-section (1) of section 55 of the principal Law there shall be substituted the expression "Governor in Council."

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 14th day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 3



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO AMEND THE INTERPRETATION ORDINANCE.

[28th February, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

1. This Law may be cited as the Interpretation (Amendment) Law, 1956.

Short title.

2. In the Interpretation Ordinance immediately after section 33A there shall be inserted the following new section :—

Insertion of  
section 33A  
in Cap. 94.

Power of  
Governor to  
delegate  
Ministerial  
powers in  
exceptional  
circums-  
tances.

"33B. (1) Where by a Law or by an Ordinance, a Minister is empowered to exercise any powers or perform any duties, and for good reason such as illness or absence from the Region shall be unable to exercise such powers or perform such duties, the Governor may in writing depute any person by name or the person holding the office designated by him whether or not such person is a member of Executive Council to exercise such powers or perform such duties on the Minister's behalf, subject to such conditions, exceptions and qualifications as the Governor may prescribe and thereupon, or from the date specified by the Governor, the person so deputed shall have and exercise such powers and perform such duties subject as aforesaid.

(2) Any delegation made under the provisions of sub-section (1) shall be revocable at will and no delegation shall prevent the exercise of any power by a Minister".

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 16th day of February, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 4



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO PROVIDE FOR THE TRANSFER OF CERTAIN STATUTORY POWERS  
AND DUTIES OF ADMINISTRATIVE OFFICERS, DIVISIONAL ADVISERS  
AND PROVINCIAL ADVISERS TO OTHER OFFICERS AND AUTHORITIES.

[28th February, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

1. This Law may be cited as the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956.

Short title.

2. (1) The Governor in Council may, by order, provide for—  
(a) the transfer of any of the powers and duties conferred or imposed upon an administrative officer, divisional adviser or provincial adviser by any Ordinance or Law to which this section applies to any officer or authority of the Region or, subject to the provisions of sub-section (2) of section 136 of the Constitution Order, to any officer or authority of the Federation ;

Power to  
provide for  
the transfer  
of functions  
of admin-  
istrative off-  
icers.

**A 8**      **W.R. No. 4 of 1957 Statutory Powers and Duties**  
*of Administrative Officers*  
*(Transfer)*

---

(b) any matter consequential or incidental to such transfer.

(2) Any order made under this section may include directions, either general or in relation to any particular matter, for the carrying on and completion by the officer or authority to which a power or duty is transferred of anything commenced by the administrative officer, divisional adviser or provincial adviser from whom the same is transferred.

(3) This section shall apply to an Ordinance or Law enacted before the commencement of this Law by the Legislature of the Region, or having effect under section 57 of the Constitution Order as if it had been so enacted, and in force in the Region.

(4) In this section—

“the Constitution Order” means the Nigeria (Constitution) Order in Council, 1954 ;

“the Region” means the Western Region.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**M. A. MACAULEY,**  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 15th day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 5



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO AMEND THE WESTERN REGION PRODUCTION DEVELOPMENT  
BOARD LAW (No. 12 OF 1955).

[1st September, 1955.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

1. This Law may be cited as the Western Region Production Development Board (Amendment) Law, 1956, and shall be deemed to have come into operation on the 1st day of September, 1955.

Short title  
and com-  
mencement.

2. In section 24 of the Western Region Production Development Board Law, 1955, after the word "employee" in the penultimate line, there shall be inserted the following expression "and their dependants and to the dependants or estates of deceased officers or employees".

Amendment  
of section 24  
of Law  
No. 12 of  
1955.

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**M. A. MACAULEY,**  
*Clerk of the Regional Legislature.*

Assented to in Her Majesty's name this 20th day of February, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 6



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO VALIDATE THE REGISTRATION OF REGISTRABLE BIRTHS  
AND DEATHS REGISTERED IN THE DIVISIONAL OFFICE, IBADAN.

[7th March, 1957.] Date of  
commence-  
ment.

WHEREAS since the year 1918 registrable births and deaths have  
been registered by the Divisional Adviser, in the Divisional Office,  
Ibadan and by the Provincial Adviser, Provincial Office, Ibadan : Preamble.

AND WHEREAS the holders of such offices have never been appointed  
registrars for such purposes in accordance with the provisions of the  
Births, Deaths and Burials Ordinance :

Cap. 20.

AND WHEREAS the Divisional Office, Ibadan and the Provincial  
Office, Ibadan, have never been appointed registry offices in accordance  
with the provisions of the aforementioned Ordinance :

AND WHEREAS it is deemed expedient that all births, and deaths registered by the aforementioned officers shall be made valid :

Enactment. NOW, THEREFORE, BE IT ENACTED by the Legislature of the Western Region as follows :—

Short title. 1. This Law may be cited as the Registration of Registrable Births and Deaths (Ibadan) (Validation) Law, 1956.

Validation of certain registrations of births and deaths in Ibadan. 2. In order to remove all doubts as to the validity of the registration of all registrable births and deaths registered by the Divisional Adviser in the Divisional Office, Ibadan, between the 1st day of April, 1918 and the 30th day of June, 1955, and by the Provincial Adviser in the Provincial Office, Ibadan, between the 1st day of July, 1955 and the 30th day of June, 1956 all such registrations are hereby declared to be as from their registration as valid as if in the case of each registration the Divisional Adviser or the Provincial Adviser was the proper registrar and as if his office was the proper registry.

Validation of Divisional and Provincial Adviser's Certificates issued in Ibadan. 3. In order to remove all doubts as to the validity of all registrar's certificates issued under the provisions of the Births, Deaths and Burials Ordinance between the 1st day of April, 1918 and the 30th day of June, 1956, all such certificates are hereby declared to be as from the date of their issue as valid as if the Divisional Adviser or the Provincial Adviser who issued them was the proper registrar to issue the same.

Evidence of registrations validated by this Law. 4. The certificates referred to in section 3 and entries relating to the same in any register book or copies of such certificates or entries shall be received in all courts as evidence of such registrations.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 20th day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 7



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO PROVIDE FOR THE PROTECTION OF ILLITERATE PERSONS.

[7th March, 1957.] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Illiterates Protection Law, 1956. Short title.
2. In this Law, unless the context otherwise requires— Definitions.  
“writer” means any person who shall write any letter or document at the request, on behalf, or in the name of any illiterate person, except as provided in section 5.

Verification of letters written for illiterate person.

3. Any person who shall write any letter or document at the request, on behalf, or in the name of any illiterate person shall also write on such letter or other document his own name as the writer thereof and his address ; and his so doing shall be equivalent to a statement—

(a) that he was instructed to write such letter or document by the person for whom it purports to have been written and that the letter or document fully and correctly represents his instructions ; and

(b) if the letter or document purports to be signed with the signature or mark of the illiterate person, that prior to its being so signed it was read over and explained to the illiterate person, and that the signature or mark was made by such person.

Penalty.

4. If the writer of any such letter or document shall fail to write thereon his name and address, or if, having done so, any statement which under the last preceding section is in consequence implied shall be found to be untrue, the writer shall be guilty of an offence and liable on conviction to a fine of fifty pounds or to imprisonment for six months.

Barristers and solicitors exempt from the provisions of this Law.

5. This Law shall not apply to the writing of any letter or other document written in the course of his business by or at the direction of any person admitted to practise and practising as a barrister or solicitor in a High Court or the Federal Supreme Court.

Fee to be marked.

6. (1) In addition to the obligation imposed upon him by section 3, every writer shall state in writing on the letter or document, and on each copy thereof—

(a) whether or not any fee or reward has been or is to be charged or taken by him for writing such letter or document ; and

(b) the nature or amount of such fee or reward, if any ; and

(c) the total number of copies of such letter or document written by him, including the original.

(2) Any writer who shall omit any of the particulars required by sub-section (1) or who shall make any false statement in such particulars shall be guilty of an offence and liable on conviction to a fine of fifty pounds or to imprisonment for six months.

Receipt to be given.

7. (1) Every writer shall give a receipt for the full amount of every fee or reward, whether in money or kind, taken by him for or in connection with the writing of any letter or document.

(2) Any writer who shall fail to give a receipt as provided in sub-section (1) shall be guilty of an offence and liable on conviction to a fine of twenty pounds or to imprisonment for three months.

Reward for writing letters.

8. (1) A writer shall not charge or take any fee or reward exceeding the rates specified in the Schedule to this Law or the reasonable equivalent in kind of such sums respectively. For the purposes of such fee or reward no such letter or document shall be

deemed to contain more than one thousand words. Such fee or reward shall be deemed to include payment for all reasonable materials and stationery. Any sum charged or taken by way of travelling expenses or lodging allowance shall be subject to the approval of an administrative officer.

(2) Any writer who shall charge or take any fee or reward exceeding the rates laid down in the Schedule hereto shall be guilty of an offence and liable on conviction to a fine of fifty pounds or to imprisonment for six months.

9. The Illiterates Protection Ordinance is hereby repealed.

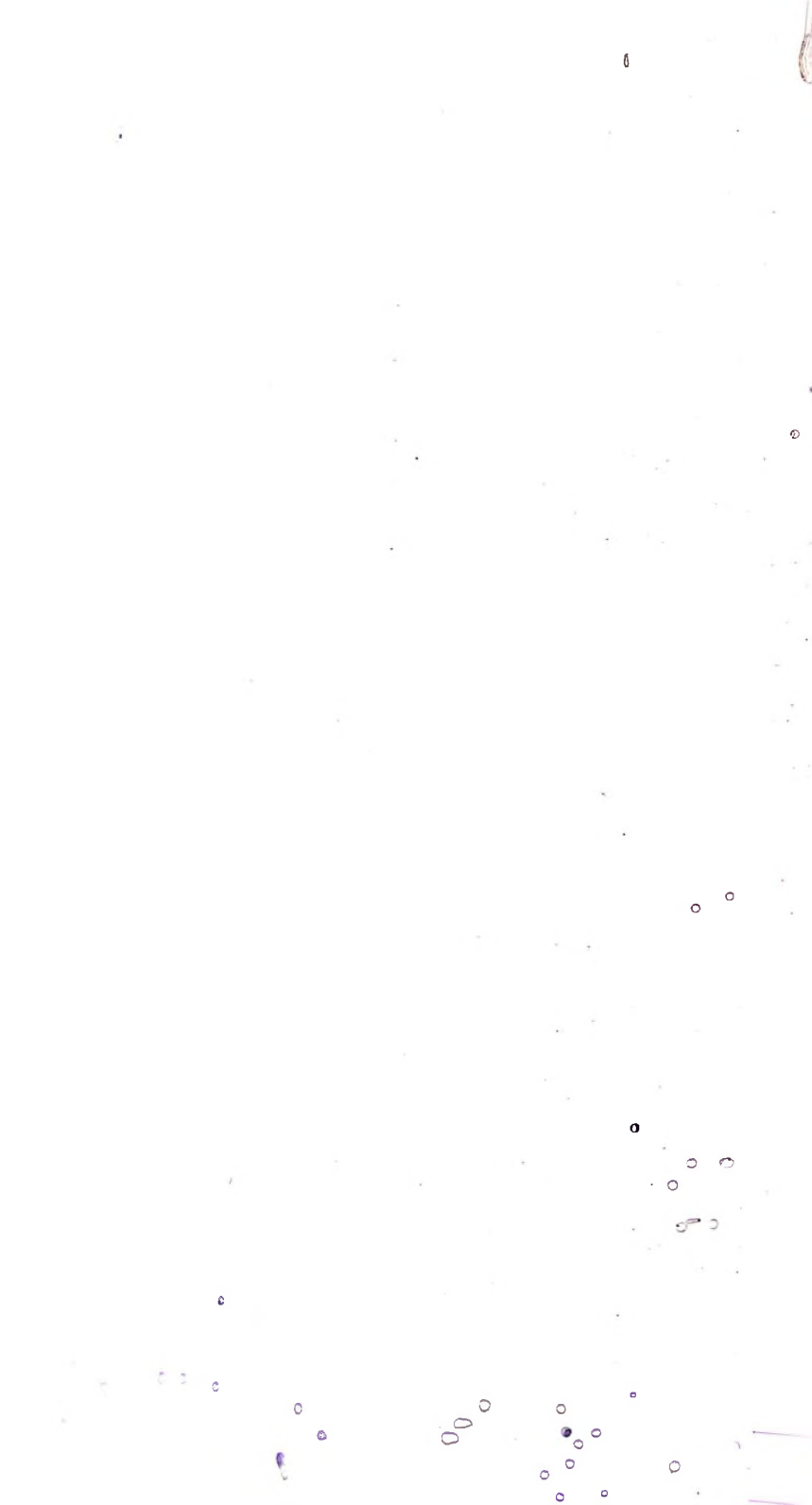
Repeal of  
Cap. 88.

#### SCHEDULE

	s	d
For every original letter or document per hundred words or part thereof ...	5	0
For the first copy (if any), per hundred words or part thereof ...	2	0
For second and subsequent copies, per hundred words or part thereof ...	0	6

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 20th day of February, 1957.

J. D. RANKINE,  
Governor, Western Region

•(L.S.)

No. 8



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO AMEND THE MAGISTRATES' COURTS (WESTERN REGION)  
LAW, 1954.

[7th March, 1957.] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Magistrates' Courts (Western Region) (Amendment) Law, 1956. Short title.

2. Section 2 of the Magistrates' Courts (Western Region) Law, 1954 (hereinafter referred to as the principal Law) is hereby amended by the addition of the following new definition between the definitions of "Governor" and "High Court". Amendment of section 2 of Law No. 5 of 1955.

"'health officer' means a health officer as defined in the Public Health Ordinance ;"

Cap. 183.



Assented to in Her Majesty's name this 20th day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

• (L.S.)

No. 8

1957



**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO AMEND THE MAGISTRATES' COURTS (WESTERN REGION)  
LAW, 1954.

[7th March, 1957.] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Magistrates' Courts (Western Region) (Amendment) Law, 1956. Short title.

2. Section 2 of the Magistrates' Courts (Western Region) Law, 1954 (hereinafter referred to as the principal Law) is hereby amended by the addition of the following new definition between the definitions of "Governor" and "High Court". Amendment of section 2 of Law No. 5 of 1955.

"health officer" means a health officer as defined in the Public Health Ordinance ;"

Cap. 183.

Amendment  
of section 7  
of Law No. 5  
of 1955.

3. After sub-section 4 of section 7 of the principal Law there shall be inserted the following sub-section :—

“(5) The Governor may appoint any person qualified for appointment as Chief Magistrate under sub-section (2) to be an Acting Chief Magistrate.”

Repeal and  
re-enactment  
of section 12  
of Law No. 5  
of 1955.

4. Section 12 of the principal Law shall be repealed and replaced by the following :—

“Appoint-  
ment and  
removal of  
justices of  
the peace.

12. (1) The Governor may appoint any person to be a Justice of the Peace in and for the Western Region of Nigeria or in and for such part of the Western Region as he may specify, and may remove any person so appointed from the office of justice of the peace.

(2) Every administrative officer shall *ex-officio* be a justice of the peace for the part of the Western Region of Nigeria to which he is for the time being appointed as such officer.”

Amendment  
of section 13  
of Law No. 5  
of 1955.

5. Section 13 of the principal Law shall be amended—

(a) by the deletion in paragraph (a) of the words “police officers” and the substitution therefor of the words “any member of a police force within the meaning of the Local Government Police Law, 1955,” and

(b) by the insertion of the following new paragraph (aa)—

“(aa) power to direct post-mortem examinations under section 13 of the Coroners Ordinance.”

Cap. 41.

Amendment  
of section 18  
of Law No. 5  
of 1955.

6. For sub-section (1) of section 18 of the principal Law there shall be substituted the following sub-section (1) :—

“Civil juris-  
diction of  
Chief  
Magistrate.

18. (1) Subject to the provisions of this or any other Law or Ordinance a Chief Magistrate shall have and exercise jurisdiction in civil causes :—

(a) in all personal suits, whether arising from contract, or from tort, or from both whether the debt or damage claimed, whether as balance claimed or otherwise, is not more than five hundred pounds ;

(b) in all suits between landlord and tenant for possession of any lands or houses claimed under agreement or refused to be delivered up, where the annual value or rent does not exceed five hundred pounds ;

(c) to appoint guardians *ad litem* and to make such orders and give and issue directions relating thereto ;

(d) to grant in any suit instituted in the court injunctions or orders to stay waste or alienation or for the retention and preservation of any property the subject of such suit, or to restrain breaches of contracts or torts ;

(e) in any appeal from the decision of an Assessment Committee constituted under the provisions of the Western Region Local Government Law, 1952 ;

No. 1 of 1953.

(f) in suits transferred to a Magistrate's court under the provisions of section 28 of the Native Courts Ordinance or section 22 of the Native Courts (Colony) Ordinance ; and

Cap. 142.  
Cap. 143.

(g) in suits ordered to be reheard in a Magistrate's Court under sub-section (1) of section 40 of the Native Courts Ordinance or section 25 of the Native Courts (Colony) Ordinance :

Cap. 142.  
Cap. 143.

Provided that except in so far as the Governor may by Order in Council otherwise direct and except in suits transferred or ordered to be reheard under paragraphs (f) and (g) respectively, a Magistrate's Court shall not exercise original jurisdiction in suits which raise any issue as to the title to land or as to the title to any interest in land, or in which the validity of any devise, bequest or limitation under any will or settlement is or may be disputed or in any matter which is subject to the jurisdiction of a native court relating to marriage, family status, guardianship of children, inheritance or disposition of property on death."

Civil jurisdiction excluded in certain cases.

7. Section 58 of the principal Law is hereby amended by the addition of the following new sub-section :—

Amendment of section 58 of Law No. 5 of 1955.

"(4) In the case of a prosecution by or on behalf of the Crown for an offence contrary to the provisions of the Public Health Ordinance the Crown may be represented by a Law Officer, crown counsel, administrative officer, police officer, health officer or by any legal practitioner or other person authorised in that behalf by or on behalf of the Attorney-General".

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
Clerk of the Regional Legislature



Assented to in Her Majesty's name this 21st day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 9



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO AMEND THE PUBLIC LANDS ACQUISITION ORDINANCE  
CAP. 185.

[ 7th March, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

1. This Law may be cited as the Public Lands Acquisition (Amendment) Law, 1956. Short title.

2. Section 2 of the Public Lands Acquisition Ordinance shall be amended by the addition of the following new paragraph immediately after paragraph (g) under the definition of "public purposes" :— Cap. 185.

“(h) for or in connection with housing estate, economic, industrial or agricultural development and for obtaining control over land required for or in connection with such purposes”.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 22nd day of February, 1957.

J. D. RANKINE,  
*Governor, Western Region*

(L.S.)

No. 10



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF

**• HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.

*Governor, Western Region*

A LAW TO MAKE PROVISION FOR THE OATHS TO BE TAKEN BY  
MINISTERS, PARLIAMENTARY SECRETARIES AND CERTAIN  
OFFICIALS.

[ 7th March, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region  
of Nigeria as follows :—

Enactment

1. This Law may be cited as the Official Oaths Law, 1956.

Short title

2. (1) The oaths in this Law referred to as the Oath of  
Allegiance, the Ministerial Oath, the Judicial Oath, the Oath of  
Office and the Oath of Secrecy shall be as in the forms set out in  
the First Schedule hereto.

Forms of  
Oath.  
First  
Schedule.

(2) Where in any oath under this Law the name of Her present Majesty is expressed, the name of the Sovereign of the United Kingdom for the time being shall be substituted from time to time.

Oaths of  
Ministers.

3. The Oath of Allegiance and the Ministerial Oath shall be taken by each Minister as soon as may be after his appointment and shall be tendered by—

- (a) the Governor ; or
- (b) a person presiding at a meeting of the Executive Council.

Oaths of  
Officers  
named in  
Part I,  
Second  
Schedule.

4. The Oath of Allegiance, the Oath of Office and the Judicial Oath shall be taken by each of the officers named or included in Part I of the Second Schedule hereto as soon as may be after his appointment, before the person designated in the said Schedule.

Oaths of  
Officers in  
Part II,  
Second  
Schedule.

5. The Oath of Allegiance and the Oath of Office shall be taken by each of the officers named or included in Part II of the Second Schedule hereto as soon as may be after his appointment, before the person designated in the said Schedule.

Oaths of  
Officers in  
Part III,  
Second  
Schedule.

6. The Oath of Allegiance and the Judicial Oath shall be taken by each of the officers named or included in Part III of the Second Schedule hereto as soon as may be after his appointment, before the person designated in the said Schedule.

Oaths of  
Parliamentary  
Secretaries and  
Private  
Secretaries  
to Ministers.

7. The Oath of Allegiance, the Oath of Office and the Oath of Secrecy set out in Part I of the First Schedule hereto shall be taken by each Parliamentary Secretary and Private Secretary to a Minister as soon as may be after his appointment and by such other officers as shall be designated by the Governor from time to time, and shall be tendered by—

- (a) the Governor ; or
- (b) a person presiding at a meeting of the Executive Council.

Oaths of  
Secretary to  
the Premier  
and  
Executive  
Council  
and the  
Deputy  
Secretary to  
Executive  
Council.

8. The Oath of Secrecy set out in Part II of the First Schedule hereto shall be taken by the Secretary to the Premier and Executive Council and the Deputy Secretary to the Executive Council as soon as may be after their appointment and shall be tendered by—

- (a) the Governor ; or
- (b) a person presiding at a meeting of the Executive Council.

Provision as  
to taking  
oaths more  
than once.

9. (1) Where the Oath of Allegiance has been taken in the Region by an officer it shall not, save as hereinafter provided, be necessary for such officer again to take the Oath of Allegiance unless the Governor shall so direct.

(2) Where the Oath of Office has been taken by an officer it shall not be necessary for that officer again to take the Oath of Office in respect of any subsequent appointment to the same office :

Provided that where the Oath of Office was taken by the officer in respect of an office he was holding in an acting or temporary capacity and such officer is subsequently appointed as the substantive holder of that office he shall upon such subsequent appointment be required to take the Oath of Office.

(3) Every person appointed as a Minister who is required in accordance with section 3 to take the Oath of Allegiance shall, notwithstanding that he may have taken the Oath of Allegiance in some other capacity, again take the Oath of Allegiance upon his first appearance at a meeting of the Executive Council.

(4) Every person who has been appointed as a Minister if again appointed as a Minister shall at his first appearance at a meeting of the Executive Council after his re-appointment again take the Oath of Allegiance.

10. If any person declines or neglects, when any oath required to be taken by him under this Law is duly tendered, to take such oath he shall, if he has already entered on his office, vacate the same, or, if he has not entered on his office, be disqualified from entering on the same.

Effect of not taking the required Oath.

11. (1) The Official Oaths Ordinance is hereby repealed.

Repeal and saving. Cap. 163.

(2) Nothing in this Law shall affect the validity of any oath taken under the provisions of the Ordinance hereby repealed and any such oath shall be deemed to have been taken under the provisions of this Law and shall be as effectual and binding in the same manner and to the same extent as if taken under the provisions of this Law.

FIRST SCHEDULE

PART I

Sections 3-8.

OATH OF ALLEGIANCE

I....., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors according to Law.—So help me God.

MINISTERIAL OATH

I....., being chosen and admitted of Her Majesty's Executive Council of the Western Region of Nigeria do swear that I will to the best of my judgment at all times

Section 3.

when thereto required freely give my counsel and advice to the Governor, Deputy Governor or officer administering the government of the Western Region of Nigeria for the time being for the good management of the public affairs of the said Region and that except with the authority of the Governor I will not directly or indirectly reveal the business or proceedings of the Council or the nature or contents of any document communicated to me as a member of the Council or any matter coming to my knowledge in my capacity as a member of the Council and in all things I will be a true and faithful Councillor.—So help me God.

Sections 4,  
5 and 7.

#### OATH OF OFFICE

I,....., do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of.....  
So help me God.

Sections 4  
and 6.

#### JUDICIAL OATH

I,....., do swear that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of.....and will do right to all manner of people after the laws and usages of the Western Region of Nigeria or having force or effect therein without fear or favour, affection or ill-will.—So help me God.

Section 7.

#### OATH OF SECRECY

I,....., having been appointed a.....Secretary to assist one of Her Majesty's Ministers for the Western Region of Nigeria (or as the case may be) do swear that I will not directly or indirectly reveal such matters as may be committed to my secrecy.—So help me God.

### PART II

Section 8.

#### OATH OF SECRECY

I,....., having been appointed Secretary to the Premier and Executive Council of the Western Region of Nigeria (or Deputy Secretary to the Executive Council) do swear that except with the authority of the Governor I will not directly or indirectly reveal the business or proceedings of the Council or the nature or contents of any document communicated to me as Secretary to the Executive Council (or as Deputy Secretary to the Executive Council) or any matter coming to my knowledge as such Secretary (or such Deputy Secretary).—So help me God.

SECOND SCHEDULE

PART I

Section 4.

Administrative Officers—  
such other officers exercising executive and judicial functions as shall be designated by the Governor from time to time

Before the Governor or such other officers as the Governor may appoint.

PART II

Section 5

Deputy Governor,  
Attorney-General—  
such other officers as shall be designated by the Governor from time to time.

Before the Governor.

PART III

Chief Justice ... ..  
Judges of the High Court.

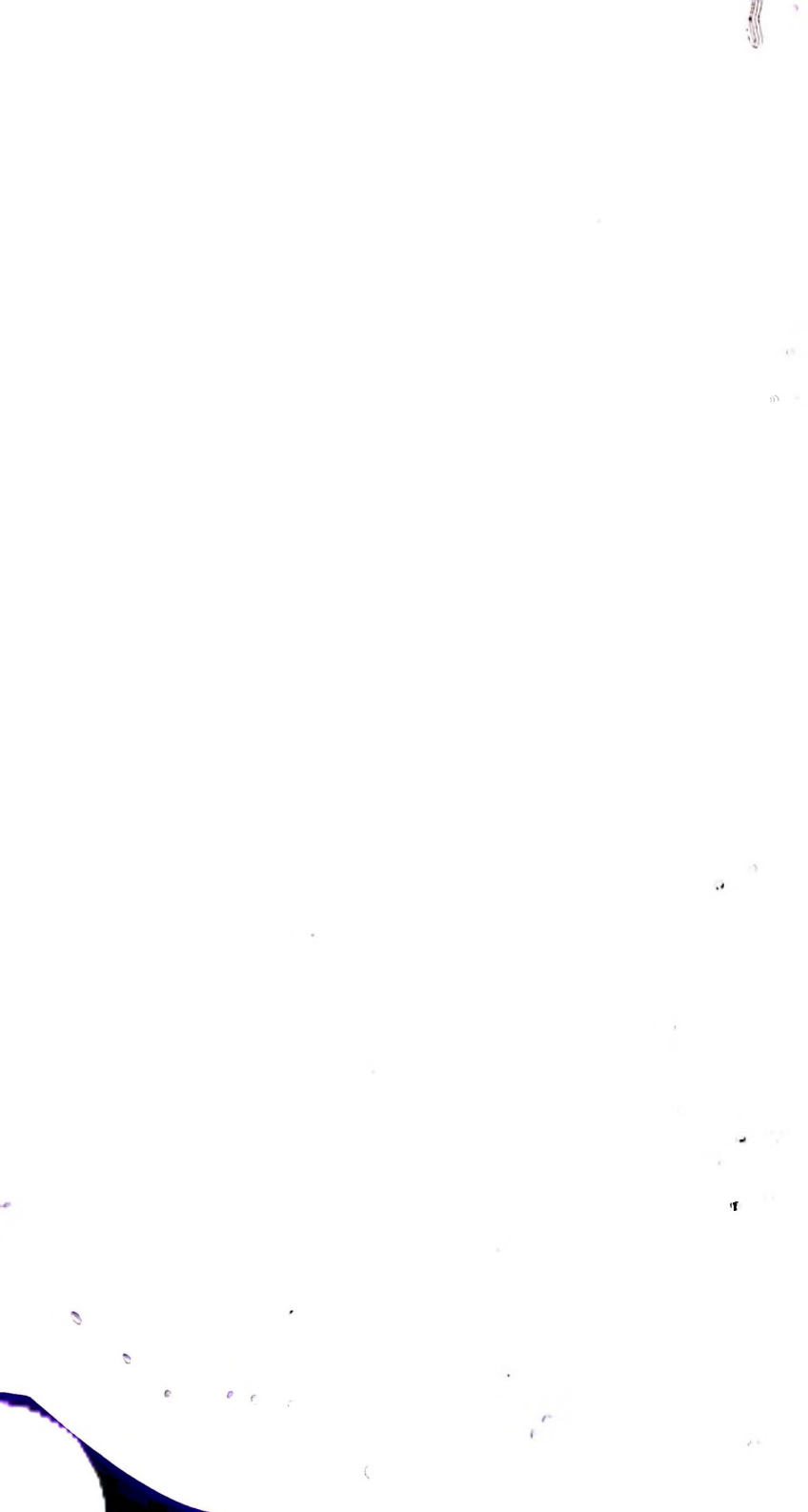
Before the Governor.  
Before the Governor or the Chief Justice.

Magistrates and Justices of the Peace.

Before the Governor, the Chief Justice or such officer as the Governor may appoint.

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 21st day of February, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 11

1957



Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO AMEND THE BUILDING LINES REGULATION ORDINANCE. Title.

[ 14th March, 1957.] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Building Lines Regulation (Amendment) Law, 1956. Short title.

2. In Section 2 of the Building Lines Regulation Ordinance (hereinafter referred to as the principal law) there shall be inserted, after the definition of "create an obstruction", the following definition— Amendment of Section 2 of Cap. 24.

"the Minister" means the Regional Minister charged, in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954, with responsibility for public works ;

Repeal of  
Section 3 of  
Cap. 24.

3. Section 3 of the principal law shall be repealed.

Amendment  
of Section 4  
of Cap. 24.

4. In Section 4 of the principal law for the words "Governor in Council" there shall be substituted the word "Minister".

Amendment  
of Section 5  
of Cap. 24.

5. In Section 5 of the principal law for the words "Order in Council under section 6 or by an order under section 7" there shall be substituted the words "order under section 6".

Amendment  
of Section 6  
of Cap. 24.

6. In Sub-section (1) of Section 6 of the principal law for the words "Governor in Council" there shall be substituted the word "Minister" and in sub-section (2) of the said section the words "in council" shall be deleted.

Repeal of  
Section 7 of  
Cap. 24.

7. Section 7 of the principal law shall be repealed.

Amendment  
of Section 8  
of Cap. 24.

8. In Section 8 of the principal law for the words "Order in Council" under Section 6 or of any order under Section 7" there shall be substituted the words "order under section 6".

Amendment  
of Section 9  
of Cap. 24.

9. In Sub-section (1) of section 9 of the principal law—

(a) for the words "an administrative officer, or, in the case of an order made by a native authority, the native authority, or in the case of a contravention of an order made by a local government council, the council" there shall be substituted the words "the provincial engineer" ; and

(b) for the words "order in council under Section 6 or of an order under section 7" there shall be substituted the words "order under Section 6".

Amendment  
of Section 11  
of Cap. 24.

10. In Section 11 of the principal law for the words "order in council under section 6 or by order under Section 7" there shall be substituted the words "order under section 6".

Amendment  
of Section 12  
of Cap. 24.

11. In the first line of section 12 of the principal law the figure "6" shall be deleted.

Orders in  
Council  
under Cap.  
24 deemed to  
be in force.

12. The Building Lines Order in Council, with the amendments made thereto by the Orders in Council specified in the Schedule, shall be deemed always to have been in force from the respective dates upon which they come into operation.

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SCHEDULE

SECTION 5

Order in Council No. 22 of 1948

Order in Council No. 56 of 1951

Order in Council No. 57 of 1951

Western Region Legal Notice 162 of 1955.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*



## THE LOCAL GOVERNMENT LAW, 1957

## ARRANGEMENT OF SECTIONS

## PART I.—INTRODUCTORY

## SECTION

1. Short title and commencement.
2. Interpretation.

## PART II.—ESTABLISHMENT OF LOCAL GOVERNMENT COUNCILS

3. Governor in Council may establish councils.
4. Incorporation of councils.

## PART III.—INSTRUMENTS

5. Publication and effect of Instrument.
6. Contents of Instruments.
7. Power to amend Instruments.
8. Revocation of Instruments.
9. Effect of amendment and revocation.
10. Adjustment of assets and liabilities.

## PART IV.—AREAS AND BOUNDARIES

11. Area of authority of council.
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Assented to in Her Majesty's name this 11th day of April, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 12



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO MAKE PROVISION FOR LOCAL GOVERNMENT

[By Notice]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows:—

Enactment.

PART I.—INTRODUCTORY

1. This Law may be cited as the Local Government Law, 1957, and shall come into operation on a date to be appointed by the Governor in the Gazette.

Short title  
and  
commence-  
ment.

2. (1) In this Law unless the context otherwise requires—

Interpreta-  
tion.

“appointed day” means the day appointed for the coming into operation of this Law in accordance with the provisions of section 1 ;

“casual vacancy” means a vacancy in a council occurring otherwise than by reason of the retirement of the members of the council in accordance with section 21 ;

“council” means a council established by an Instrument made, or having effect as if made, under this Law and for the time being in force ;

“the Electoral Officer” in relation to a council means the person appointed under regulations made, or having effect as if made, under section 27 for the conduct of elections to that council ;

“functions” includes powers and duties of a council ;

“the Gazette” means the Gazette of the Region.

“the Instrument” in relation to a council means the Instrument establishing that council made, or having effect as if made, under the provisions of this Law, as from time to time varied by any amending Instrument ;

“member of a council” means an elected or traditional member of a council and includes the President of a council ;

“the Minister” means the Regional Minister to whom responsibility for local government is assigned in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954.

(2) For the purposes of this Law the resignation of a Chairman of a council, a member of a council or a member of a Committee shall be deemed to have effect from the time it is received by the person to whom it is required to be addressed.

(3) Any person whose office or seat in a council, a committee of a council, a joint board, an assessment committee, an assessment appeal tribunal or the Local Government Service Board has become vacant may, if qualified, again be appointed or elected to that office or as a member of the council, committee, board or tribunal, as the case may be.

(4) Except as may be otherwise expressly provided by this Law or any other enactment, the provisions of this Law shall apply to a council in its capacity as a local education authority for the purposes of the Education Law, 1954.

(5) For the avoidance of doubts it is hereby declared that the provisions of the Interpretation Ordinance shall, save as is otherwise provided or required by the context, apply to this Law.

#### PART II.—ESTABLISHMENT OF LOCAL GOVERNMENT COUNCILS

*Governor in Council may establish councils.*

3. (1) Subject to the provisions of this section, the Governor in Council may by Instrument establish such councils for the purposes of local government as he shall think necessary or expedient.

(2) The descriptions of councils which may be established shall be as follows—

- (a) Divisional Councils ;
- (b) District Councils ; and
- (c) Local Councils.

(3) Before establishing a council under this section the Governor in Council shall cause such inquiries to be made as he considers desirable for the purpose of ascertaining the wishes of the inhabitants of the area in respect of which the council is to be established.

4. Every council established under the provisions of this Law shall be a body corporate having perpetual succession and a common seal and power to hold land and to sue and be sued.

*Incorporation of councils.*

## PART III.—INSTRUMENTS

5. (1) Every Instrument shall be signified in the manner provided by the Interpretation Ordinance for the signification of orders made by the Governor in Council. Publication and effect of Instrument.

(2) Every Instrument shall be published in the Gazette and shall have effect upon such publication or from the date named therein.

(3) Every Instrument shall be read and construed as one with this Law and shall be of the same force and effect as if it were enacted in this Law :

Provided that in the event of any conflict between the provisions of any Instrument and the provisions of this Law the provisions of this Law shall prevail.

6. (1) Every Instrument establishing a council shall—

Contents of Instruments.

(a) specify the name and description of the council and the date it shall be established ;

(b) describe the device of the seal of the council ;

(c) provide for the composition of the council ;

(d) contain such provision for other matters as are required by this Law to be prescribed therein.

(2) An Instrument may—

(a) name a District Council as an Urban District Council or Rural District Council in combination with such other name as it may specify ;

(b) provide for the use of a rubber stamp in lieu of a seal until such time as a seal be procured ;

(c) make such provision for matters, other than those mentioned in this section, which is authorised by this Law ;

(d) generally make such other provision not inconsistent with this Law as is necessary or expedient for the establishment of the council.

7. (1) Subject to the provisions of this section, the Governor in Council may, by further Instrument, amend the Instrument establishing any council with respect to any matter for which provision may be made by Instrument under this Law. Power to amend Instrument.

(2) The Governor in Council shall not amend an Instrument in any of the following ways, unless he has complied with the provisions of sub-section (3) of this section—

(a) change the name of the council ;

(b) alter the status of the council ;

(c) add to, take away from or impose any conditions upon the exercise of any of the functions of the council ; or

(d) alter the composition of the council.

(3) Before making an amendment in any of the respects specified in sub-section (2) of this section the Governor in Council shall—

(a) cause to be published in the area concerned not less than thirty clear days' notice of his intention to exercise his powers under this section ;

(b) give an opportunity to the council concerned to make representations to him in writing ; and

(c) cause such inquiries to be made as he may deem desirable for the purpose of ascertaining the wishes of the inhabitants of the area concerned.

(4) The Governor in Council shall not amend an Instrument to effect any alteration of the boundaries or area of authority of a council except in accordance with Part IV.

Revocation  
of  
Instruments.

8. (1) Subject to the provisions of this section the Governor in Council may, by further Instrument, revoke the Instrument relating to a council.

(2) Before revoking an Instrument the Governor in Council shall notify the council concerned of the proposed revocation and give an opportunity to the council to make representations to him in writing with respect to the proposed revocation :

Provided that an Instrument may be revoked—

(a) in respect of a council which has held no meeting within six months of the date appointed by the Instrument for its first meeting ; or

(b) at any time before the date appointed by the Instrument for the first election to a council, without the council being given an opportunity to make representations to the Governor in Council.

Effect of  
amendment  
and  
revocation.

9. Subject to the provisions of this Law, the provisions of the Interpretation Ordinance with respect to the effect of the amendment or repeal of Laws shall apply in relation to an Instrument as they apply in relation to a Law.

Adjustment  
of assets and  
liabilities.

10. Where the Governor in Council amends or revokes an Instrument he may, by the same or a subsequent Instrument, make such supplemental provisions with respect to administrative arrangements as appear to him necessary and, without prejudice to the generality of the foregoing, may by such Instrument—

(a) provide for the transfer of, or adjustments with respect to, the assets and liabilities of any council affected ;

(b) provide for the transfer of any writs, process, records or documents relating to any council or area affected and for determining questions arising from such transfer.

#### PART IV—AREAS AND BOUNDARIES

Area of  
authority of  
council.

11. (1) The area of authority of a council shall be defined in the Instrument relating to the council.

(2) Where the limits of the area or any parts of the area of a council have been duly determined in accordance with the Local Government Boundaries Settlement Law, 1956, the limits so determined shall, subject to sub-section (3) of this section, be the boundary or part of the boundary of the area of the council. Law No. 7 of 1956.

(3) Nothing in sub-section (2) of this section shall affect the powers of the Governor in Council by Instrument made in accordance with this Law and taking effect subsequent to the determination, to make provision defining the area of any council affected by such determination or to revoke or amend any such provision.

12. (1) Whenever proposals are made by any person or authority for the purpose of effecting any of the following changes— Alteration of area of council.

(a) an alteration of the boundaries of the area of the authority of a council ;

(b) the division of the area of the authority of a council ;

(c) the transfer of any part of the area of the authority of a council to another council ;

(d) the union of the area of the authority of a council with the area of the authority of another council ; or

(e) the formation of a new council in the area of or part of the area of the authority of an existing council ;

the Governor in Council shall, if he is satisfied that the proposals ought to be entertained, cause an inquiry to be held in the locality affected.

(2) Where the Governor in Council is satisfied, after the completion of the inquiry, that any change with respect to any matter specified in sub-section (1) of this section is desirable he may make such provision by Instrument as appears to him necessary to give effect thereto.

13. (1) The area of every council shall be divided by the Instrument relating to the council into wards. Council wards.

(2) In dividing a council area into wards the Governor in Council shall, so far as is practicable, observe the principle that each ward should contain approximately the same number of persons qualified to register as electors.

(3) The Instrument relating to a council shall contain such description as is practicable for the purpose of enabling the limits of each ward of the council to be determined.

(4) Subject to the provision of sub-sections (5) and (6) the Local Government Adviser may, and shall, if directed by the Governor in Council or required by the council, determine the boundaries of a ward.

(5) Where the Local Government Adviser conducts an inquiry for the purpose of exercising his powers under this section he shall cause not less than seven days' notice of the holding thereof to be given in the wards affected.

(6) The boundary of a ward determined by a Local Government Adviser in accordance with this section shall be the boundary of the ward for all purposes of this Law and any regulations made thereunder except in so far as it is inconsistent with the description contained in the Instrument relating to the council.

PART V.—COMPOSITION OF COUNCILS AND ELECTIONS

Composition  
of councils.

14. (1) A council shall be composed of—

(a) elected members ; and

(b) where it is so provided by the Instrument relating to the council—

(i) traditional members ;

(ii) a President.

(2) The number of elected or traditional members of a council shall, subject to the provision of sub-section (3) of this section, be prescribed by the Instrument.

(3) (a) Where the Instrument provides that the composition of a council shall include traditional members the number of elected members prescribed shall be not less than three times the number of traditional members prescribed.

(b) Where provision is made for the appointment of a president from amongst the traditional members, he shall be excluded in computing the number of such members for the purposes of this sub-section.

Elected  
members.

15. (1) Subject to the provisions of this Law, the elected members of a council shall be elected in accordance with regulations made under section 27.

(2) Elected members of District or Local Councils shall be elected by a process of direct election.

(3) Elected members of a Divisional council may be elected by a process of indirect election or by a process of direct election as may be specified in the Instrument.

(4) The Instrument may make provision for some of the elected members to be elected by a process of indirect election and some elected members to be elected by a process of direct election and, if it so provides, it shall specify the number to be elected by each process.

(5) Where it is prescribed by the Instrument that any elected members of a Divisional council are to be elected by a process of indirect election the following provisions shall apply—

(a) such elected members shall be elected by the members of the District or Local councils in the area of the Divisional council ;

(b) the councils entitled to elect members and the numbers to be elected by each council shall be specified in the Instrument ;

(c) a person shall be qualified to be a candidate at such an election if—

(i) he is a member of the council holding the election ; or

(ii) he is qualified to be elected as an elected member of the council holding the election and he was not an unsuccessful candidate at the most recent general election, or any bye-election subsequent to that election, held in respect of the council.

(6) Where it is prescribed by the Instrument that any elected members of a Divisional council are to be elected by a process of direct election the following provisions shall apply—

(a) such elected members shall be elected by the electors of the respective wards of the Divisional council specified in the Instrument in the manner prescribed for direct elections by regulations made under section 27 ;

(b) the qualifications for election to a District or Local council prescribed by section 18 shall apply in relation to candidates at such elections but as if the references to the District or Local council area were references to the Divisional council area.

16. (1) The Instrument relating to a council may provide that the composition of the council shall include traditional members. Traditional members.

(2) No person other than the holder of a recognised chieftaincy for the purposes of the Chiefs Law, 1957, may be a traditional member and no holder of such office shall sit as a traditional member unless his appointment is approved for the purposes of that Law.

(3) Subject to the provisions of this section, the Instrument may appoint, or provide for the appointment or selection of, traditional members of a council.

17. (1) The Instrument relating to a council may provide that the composition of the council shall include a President and, where such provision is made, the Instrument shall— President.

(a) appoint the person, by reference to an office of a chief, who is to hold the office of President ; and

(b) specify the term of office of the President.

(2) The Instrument may appoint a President from amongst the members of the council or from outside those members.

(3) The Instrument may provide that two or more persons shall hold office as president either successively or alternately.

(4) A council in respect of which the Instrument provides for a President shall not be disqualified for the transaction of business by reason of any vacancy in that office.

(5) (a) Subject to paragraph (b) of this sub-section, where a President is appointed and no term of office is specified in the Instrument, he shall hold office until other provision is made by the Instrument.

(b) A person holding office as President shall vacate the office if, during his term of office,—

(a) the Governor so directs in accordance with the provisions of section 86 ; or

(b) he ceases to hold the office of chief in respect of which he was appointed.

Qualifications of candidates for election to councils.

18. (1) A person shall, unless disqualified by virtue of this Law or any other enactment, be qualified to be elected as an elected member of a District or Local council who is a British subject or a British protected person of the age, on the date of the election, of twenty-one years or upwards and—

(a) (i) has been resident in the area of the council for a continuous period of two years immediately preceding the date of the election ; and

(ii) has paid to the prescribed authority in respect of each of the two financial years preceding the date of the election either regional income tax or federal income tax or a rate or was exempted from the payment of such tax or rate in respect of each of such years ; or

(b) is a native of the area of the council, and no other persons shall be qualified to be so elected.

(2) In this section—

“exempted” in relation to a person subject to federal income tax means exempted in accordance with sub-paragraphs (i), (ii) or (iv) of paragraph (a) to the proviso to sub-section (1) of section 25 of the Income Tax Ordinance or exempted from all the provisions of the Income Tax Ordinance in accordance with sub-section (4) of section 9 of that Ordinance and in relation to regional income tax means exempted by or under any provision of the enactment under which the tax is imposed ;

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“federal income tax” means tax imposed under the Income Tax Ordinance ;

“native” in relation to the area of a council means a person who was born in, or whose father was born in, that area ;

“prescribed authority” means in relation to tax imposed under the Income Tax Law, 1957, the Commissioner of Inland Revenue, in relation to tax under the Direct Taxation Ordinance the tax collection authority appointed for the area of the council, in relation to federal income tax the Federal Commissioner of Income Tax, and in relation to a rate the rating authority for the area of the council ;

“rate” means a rate imposed under the provisions of this Law ;

“regional income tax” means tax imposed under the Income Tax Law, 1957, and includes tax imposed under the provisions of the Direct Taxation Ordinance.

Disqualification of elected members.

19. (1) No person shall be entitled to be elected as an elected member of a council, who—

(a) has, in any part of Her Majesty’s dominions, been sentenced, by a court to death, or imprisonment for a term exceeding three months and has not suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or been granted a free pardon ;

(b) is, under any law in force in Nigeria found or declared to be of unsound mind or adjudged to be a lunatic ;

(c) is disqualified by virtue of the provisions of any law or regulations for the time being in force in Nigeria relating to offences connected with elections ;

(d) holds any paid office or other place of profit (other than that of chairman) in the gift or disposal of the council or of any committee thereof ;

(e) is a Federal Minister, a Regional Minister or a Parliamentary Secretary to a Federal Minister or a Regional Minister ;

(f) has not, at the date of election, paid all sums which were due from him three months or more before such date in respect of any rate levied by or on behalf of the council ;

(g) has, within a period of ten years immediately before the date of the election, been concerned as an unsuccessful claimant in a dispute relating to the office of a chief in, or associated with, the area of the council and has not obtained the consent of the Governor in Council to stand for election.

(2) No person shall be qualified to be elected as an elected member of a council if within five years before the date of the election—

(a) there has been a special finding of an Inquiry appointed under section 85 or a Commission of Enquiry appointed under any other enactment that, in his conduct as a member, official or employee of a council, he has acted dishonestly ; or

(b) he has—

(i) been sentenced by a Court in any part of Her Majesty's dominions to death or imprisonment for a term exceeding two years ; or

(ii) been convicted of any offence involving dishonesty ; or

(iii) been convicted of an offence against section 252 ; and not been granted a free pardon ; or

(c) he has been surcharged under the provisions of this Law to an amount exceeding one hundred pounds ;

(3) For the purposes of paragraph (d) of sub-section (1) of this section—

(a) the Governor in Council may authorise any person to hold an office or place of profit in the disposal or gift of the council or any committee and the office or place of profit concerned shall, during the continuance of such authority, be deemed in relation to that person to be not a paid office or place of profit ;

(b) a traditional office or customary title in respect of which a payment is made by a council to a chief shall be deemed not to be a paid office or place of profit in the gift or disposal of that council ;

(c) the payment to a president, chairman or member of such allowances as may be prescribed under section 119 shall not render any such office a place of profit ;

(4) For the purposes of paragraph (g) of sub-section (1) of this section—

"dispute" means a dispute in respect of which proceedings for its determination have been taken in accordance with the provisions of the Appointment and Deposition of Chiefs Ordinance, the Appointment and Recognition of Chiefs Law, 1954, or the Chiefs Law, 1957 ;

"unsuccessful claimant" means any party to a dispute who is not adjudged to be the duly appointed holder of the office of chief in question.

Disqualifi-  
cation for  
office by  
reason of  
non-  
disclosure of  
contract with  
council.

20. A person shall be disqualified for being elected a member of a council if he is a party to any subsisting contract with the council for and on account of the service of the council, and has not within one month before the day of election—

(a) published to the electors in the area concerned a notice setting out the nature of such contract and his interest therein ; and

(b) lodged a copy of the publication with the Local Government Adviser in respect of the council.

Term of  
office.

21. (1) The term of office of members of a council, other than traditional members appointed directly by the Instrument, shall be three years and the whole number of such members of the council shall retire in April in every three years on the date appointed under sub-section (2) of section 25 and their places shall be filled by newly elected or appointed members who shall come into office on that date.

(2) The elected members of a council to fill the vacancies upon the retirement of members under this section shall be elected at a general election to the council.

(3) In the case of a new council the term of office of members, other than traditional members appointed directly by the Instrument, shall commence from the date appointed in the Instrument for the first election of elected members and end in April in the third year following such election on the date appointed under sub-section (2) of section 25.

Tenure of  
office of  
elected  
members.

22. The seat of an elected member of a council shall become vacant if, during his term of office—

(a) the Governor in Council so directs in accordance with the powers conferred by section 86 ;

(b) he is absent from four consecutive meetings of the council in respect of each of which he did not obtain the prior consent of the chairman to absent himself ;

(c) he resigns his seat by writing under his hand addressed to the Secretary of the council ;

(d) he becomes subject to any of the disqualifications specified in section 19 ;

(e) in the case of a member of a Divisional council elected by a process of indirect election from amongst the members of a District or Local council, he ceases to be a member of that District or Local council.

23. The seat of a traditional member of a council shall become vacant if during his term of office—

Tenure of office of traditional members.

(a) the Governor in Council so directs in accordance with the powers conferred by section 86 ;

(b) he ceases to hold that office of chief in respect of which he was appointed or selected ;

(c) in the case of a traditional member not directly appointed by the Instrument, he resigns his seat by writing under his hand addressed to the Secretary of the council.

24. Each ward of the area of a council to which direct elections are held shall return such number of elected members to the council as the Instrument shall prescribe.

Wards to return elected members.

25. (1) The date for the holding of the first election of elected members to a new council shall be specified in the Instrument.

Date of elections.

(2) The date for the holding of a general election of elected members of a council shall be fixed by the Minister.

(3) The date for the holding of an election to fill a casual vacancy shall, subject to sub-section (4) of this section, be fixed by the Electoral Officer.

(4) The Minister may give directions to the Electoral Officer as to the dates upon which elections to fill casual vacancies to a council shall be held and the Electoral Officer shall comply with such directions.

26. (1) Whenever a casual vacancy occurs among the members of the council the Secretary shall forthwith report the vacancy to the Electoral Officer in writing.

Filling of casual vacancies.

(2) A new member to fill such vacancy shall be elected or appointed in the same manner as the person whose place he is to take was elected or appointed :

Provided that, in the case of a vacancy among elected members, if the vacancy occurs within a period of less than six months before the commencement of the month in which members are due to retire under section 21, the vacancy shall not be filled.

(3) A person elected or appointed under this section to fill a casual vacancy shall hold office until the date upon which the person in whose place he is elected or appointed would ordinarily have retired, and he shall then retire.

27. (1) Subject to the provisions of this Law, the Governor in Council may by regulation make provision for the election of persons as elected members of Divisional, District or Local Councils including (without prejudice to the generality of the foregoing power) the following matters :—

Regulations as to elections.

(a) the registration of electors ;

(b) the qualifications and disqualifications of electors ;

(c) the ascertainment of the qualifications of persons who submit themselves for election ;

(d) the holding of elections, direct or indirect ;

(e) the division of the area of authority of any council for any purposes connected with elections, and any regulations made under this sub-section may provide for different methods of election in respect of different kinds of council or in respect of different parts of the Region.

(2) The Governor in Council may by regulation make provision for—

(a) the disqualification of any person for membership of a council by reason of his holding or acting in any office the functions of which involve—

(i) any responsibility for, or in connection with, the conduct of any election ; or

(ii) any responsibility for, or in connection with, the compilation or revision of any electoral register ; and

(b) the definition and trial of offences relating to elections and the imposition of penalties therefor, not exceeding a fine of two hundred pounds or imprisonment for two years, including disqualification for membership of a council, or for registration as an elector, or for voting at elections, of any person concerned in any such offence.

(3) The Governor in Council may by regulation provide for determining whether any person has become an elected member of a council.

Determina-  
tion of  
questions.

28. (1) Any question which may arise as to whether—

(a) any person has become the president or a traditional member of a council ; or

(b) the seat of the president or a traditional member of a council has become vacant, shall be referred to and determined by the Minister.

(2) Any question which may arise as to whether a person has become an elected member of a council shall be determined in accordance with regulations made under section 27.

(3) Any question which may arise as to whether the seat of an elected member of a council has become vacant shall be referred to and determined by the Minister.

#### PART VI.—PROCEEDINGS

Chairman.

29. (1) For each council there shall be a chairman elected annually in accordance with the provisions of section 30.

(2) The election of the chairman shall be the first business transacted at the annual meeting of a council.

(3) The chairman shall, unless he vacates his office in accordance with sub-section (5) of this section, continue in office until his successor becomes entitled to act as chairman.

(4) Whenever a casual vacancy occurs in the office of chairman, an election to fill the vacancy shall be held at the next meeting of the council held after the date of which the vacancy occurs. A person elected to fill such casual vacancy shall hold office until the date upon which the person in whose place he is elected would regularly have retired and he shall then retire.

(5) If, during the term of office of the chairman—

- (a) he shall resign his office by writing under his hand addressed to the Secretary of the council ;
  - (b) he shall cease to be a member of the council ; or
  - (c) the council resolve, by resolution carried by a majority of all the members that he be removed ;
- the office of the chairman shall become vacant.

30. (1) When there is a President in respect of a council the following procedure shall apply for the election of a chairman—

Method of election of chairman.

(a) the secretary shall preside at the proceedings, which shall take place at the annual meeting of the council ;

(b) the President shall not be present during the proceedings ;

(c) the incoming chairman shall be elected by resolution of the council passed by the required majority ;

(d) all voting shall be by secret ballot ;

(e) the President or any other member of the council may be proposed for, and elected as, chairman, but no other person may be proposed or elected ;

(f) for the purposes of this sub-section the required majority shall be a majority of the votes of all the members of the council ;

(g) where the person elected declines to accept the office of chairman a further election shall be held in accordance with the foregoing paragraphs of this sub-section ;

(h) except where he is himself elected as chairman, the President shall issue to the incoming chairman within twenty-four hours of the passing of the resolution a letter of approval in the form prescribed by the Minister and if the President fails to issue such letter within the time specified in this paragraph the Minister may issue the same.

(2) Where there is no President in respect of a council the procedure for election of a chairman shall be that prescribed in paragraphs (a), (c), (d), (e), (f) and (g) of sub-section (1) of this section, but as if references to the President were omitted.

31. (1) A council shall in every year hold an annual meeting and at least three other meetings (or such greater number as the Minister may direct), which shall be as near as may be at regular intervals, for the transaction of general business.

Number of meetings.

(2) The annual meeting shall be held—

(a) in a year in which a general election to the council is held,

(i) in the case of a newly established council, upon the date which the Instrument shall prescribe ;

(ii) in any other case, on the day within fourteen days after the date of the election that the Secretary to the council shall appoint ;

(b) in any other year on such day in May as the council may fix ; and the meeting shall be held at such hour as the council may fix or if no hour is fixed at ten in the forenoon.

(3) The other meetings shall be held at such hour and on such day as the council decide or by Standing Order determine.

Convening  
of meetings.

32. (1) The chairman of a council may call a meeting of the council at any time either on his own motion or upon requisition of the President or one-third of the members of the council.

(2) If a chairman of a council refuses to call a meeting of the council after a written requisition so to do signed by the President or one-third of the members of the council has been presented to him, or if, without so refusing, the chairman does not, within ten days after such requisition has been presented to him, cause to be published, in accordance with the provisions of section 33, a notice calling a meeting not later than ten days after such publication, the person or persons presenting the requisition may forthwith, on such refusal or on expiration of ten days, as the case may be, call a meeting of the council.

(3) A meeting of the council for the purpose of electing a chairman to fill a casual vacancy shall be called by the Secretary to the council within fourteen days of the date upon which the vacancy in the chairmanship occurs.

Notice of  
meetings.

33 (1) Except as provided in sub-section (2) of this section a notice shall be published, at least ten clear days before a meeting of a council, other than the first meeting of a council after its establishment, at the offices or regular place of meeting of the council, stating the time and place of the meeting and the business proposed to be transacted thereat.

(2) In an emergency, publication of a notice in the manner provided by sub-section (1) of this section at least forty-eight hours before the meeting of the council shall be sufficient.

(3) Every such notice shall be signed by the Secretary except when the meeting is called under sub-section (2) of section 32 when the notice shall be signed by the person or persons calling the meeting.

Meetings to  
be within  
council area.

34. All meetings of a council shall be held within the area of authority of the council unless the Instrument otherwise provides.

Summons to  
councillors  
to attend.

35. (1) A summons to attend the meeting of any council specifying the business proposed to be transacted thereat shall be delivered to, or left at or sent by post to,—

(a) the usual place of residence of every member of the council ;

(b) the Local Government Adviser for the council.

(2) Want of service of the summons on any member or the Local Government Adviser shall not affect the validity of a meeting.

36. No business shall be transacted at a meeting of a council other than that specified in the summons relating thereto except— **Business to be transacted.**

(a) in the case of the annual meeting, business required by this Law to be transacted thereat ;

(b) in the case of all meetings, business approved by the chairman and at least three-quarters of the members present.

37. No business shall be transacted at a meeting of a council unless there are present such number of members of the council as shall be specified in the Instrument as the quorum. **Quorum.**

38. (1) Subject to the provisions of section 30 of and sub-section (2) of this section, there shall preside at the meetings of a council— **Presiding at meetings.**

(a) the chairman ; or

(b) in the absence of the chairman, such member as the members present shall elect for the purpose.

(2) In the case of a council to which a President is appointed the council may resolve that for any particular meeting or for any business at a particular meeting the President be invited to preside, and if the council so resolve the President may preside at that meeting or during the transaction of that business, notwithstanding that the chairman is present at the proceedings.

39. Every meeting of a council shall be open to the public : **Meetings to be public.**

Provided that this section shall not apply to any committee appointed by a council nor to a committee of the whole council.

40. (1) Subject to the provisions of this Law all acts of a council and all questions coming or arising before a council shall be done and decided by a majority of the members present and voting thereon at a meeting of the council. **Decision on question.**

(2) The person presiding shall have an original vote and, in the event of an equality of votes, shall have a second or casting vote.

41. (1) At any meeting of a council, if a member of the council shows disregard for the authority of the person presiding, or abuses the standing orders of the council by persistently and wilfully obstructing the business of the council or otherwise, the person presiding **Breaches of order meetings**

shall direct the attention of the meeting to the incident mentioning by name the person concerned, and may suspend such person from the exercise of his functions as a member of the council for the remainder of the meeting.

(2) In the case of grave disorder arising in any meeting of a council, the person presiding may, if he thinks it necessary so to do, adjourn the meeting without question put, or suspend any meeting for a time to be specified by him.

(3) The person presiding at any meeting of a committee of a council shall have, and may exercise in relation to such committee, the like powers as are conferred upon a person presiding in relation to a council by sub-sections (1) and (2) of this section.

Minutes.

42. (1) Minutes of the proceedings of every meeting of a council or of a committee thereof shall be regularly entered in books kept for that purpose, and shall be read and confirmed or amended, as the case may require, and signed by the person presiding at the same or next ensuing meeting of the council or committee, as the case may be, and any minute purporting to be so signed shall be received in evidence without further proof.

(2) The names of members of a council or of a committee thereof present at a meeting of the council or committee, as the case may be, shall be recorded in the minutes.

(3) Until the contrary be proved, a meeting of a council or of a committee thereof, in respect of the proceedings whereof a minute has been made and signed as provided in sub-section (1) of this section, shall be deemed to have been duly convened and held and all members present at the meeting shall be deemed to have been qualified, and where the proceedings are proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matter referred to in the minutes.

Minutes to be open to inspection.

43. The minutes of the proceedings of a council shall at all reasonable times be open to inspection, and any person may obtain a copy thereof or an extract therefrom upon payment of such fee as may be specified by the council.

Vacancy, etc., not to invalidate proceedings.

44. The proceedings of a council or a committee thereof shall not be invalidated by any vacancy among its members, or by any defect in the election or qualification of any member.

Standing Orders.

45. (1) Subject to the provisions of this Law, a council may make Standing Orders for the regulation of its proceedings and business and may amend or revoke such Standing Orders.

(2) A Standing Order made by a council shall be sufficiently authenticated if the Seal of the council is affixed to it and it is signed by the chairman and secretary of the council.

(3) If it appears to the Minister that it is expedient for the good administration of the business of a council that any Standing Order which the council has power to issue, should be made, he may, by notice in writing addressed to the council, make such Standing Order.

(4) If it appears to the Minister that any Standing Order made by a council is invalid or that it is contrary to the interests of the public in the good administration of the council's business, he may, by notice in writing addressed to the council amend or revoke such Standing Order.

(5) A Standing Order or any amendment to a Standing Order made by the Minister shall have the same effect as if it had been made by the Council.

(6) A council shall send two copies of its Standing Orders and of any amendments thereto to the Local Government Adviser appointed in respect of the council, and shall send one copy of such Standing Orders and amendments to the Minister.

46. (1) If a member of a council or any committee thereof has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the council or the committee at which the contract or other matter is the subject of consideration, he shall at the meeting disclose the fact and shall not take part in the consideration or discussion of or vote on any question with respect to the contract or other matter, and, if the person presiding so directs, he shall withdraw from the meeting during such consideration or discussion :

Disability of members for voting on account of interest.

Provided that this section shall not apply to an interest in a contract or other matter which a member of a council or committee may have as a ratepayer or an inhabitant of the area.

(2) For the purposes of this section, a person shall (subject to the succeeding provisions of this sub-section) be treated as having indirectly a pecuniary interest in a contract or other matter if—

(a) he or any nominee of his is a member of a company or other body with which the contract is made or is proposed to be made, or which has a direct pecuniary interest in the contract or other matter under consideration ; or

(b) he is a partner, or is in the employment, of a person with whom the contract is made or is proposed to be made, or who has a direct pecuniary interest in the contract or other matter under consideration ;

Provided that—

(i) this sub-section shall not apply to membership of, or employment under, any public body ;

(ii) a member of a company or other body shall not, by reason only of his membership, be treated as being so interested if he has no beneficial interest in any shares or stock of that company or other body.

(3) In the case of married persons living together, the interest of one spouse shall, if known to the other, be deemed for the purposes of this section to be also an interest of that other spouse.

Rights of certain persons to attend and take part, but not to vote, at meetings.

47. (1) The Chairman of a council may invite any person to attend, and to speak upon any matter, at any meeting of a council, but no such person shall vote upon any matter.

(2) The Minister may by writing under his hand, empower any person to attend any meeting or meetings of a council or committee thereof, and any person so empowered may attend such meeting or meetings and may take part in the proceedings thereat, and, if he so requests, his advice on any matter shall be recorded in the minutes of the meeting, but he shall not vote upon any matter.

#### PART VII.—COMMITTEES

General provisions for committees.

48. (1) Subject to the provisions of this Part, a Council may appoint a committee for any general or special purpose that in the opinion of the council would be better regulated and managed by means of a committee and may delegate to a committee so appointed, with or without restrictions or conditions, any function exercisable by the council.

(2) The power to make bye-laws, to levy a rate, to issue a precept or to borrow money, shall not be delegated to any committee of a council.

(3) The number of the members of a committee appointed under this section, the Chairman of the committee and the term of office of the members shall be specified by the council.

(4) A committee appointed under this section may include persons who are not members of the council:

Provided that—

(a) at least two-thirds of every such committee shall be members of the council ;

(b) no person shall be appointed as a member of the committee who was an unsuccessful candidate at the most recent general election to the council.

(5) The chairman of a council shall not be appointed chairman of more than one committee.

(6) No member of a council shall be chairman of more than two committees.

(7) No person not being a member of the council shall be appointed to be a member of a committee except with his consent.

(8) (a) Where it appears to the Minister that—

(i) the majority of the members of a council are the representatives of one political party (in this sub-section referred to as the majority party) : and

(ii) there are included among the members of the council the representatives of one or more other political parties (in this sub-section referred to as the minority parties), and

(iii) that the minority parties are not adequately represented on a committee of the council, he may give directions to the council requiring it to appoint such number of the members of the respective minority parties to the committee as he shall think fit, having regard to the proportions in which the political parties are represented on the council.

(b) When a council fails to comply with a direction of the Minister under paragraph (a) of this sub-section the Minister may revoke all appointments to the committee made by the council and may, subject to the provisions of this section, appoint such persons as members of the committee as he thinks fit.

49. Every Divisional Council and every District council shall appoint a Finance committee consisting of such number of members of the council as they think fit and shall delegate to the committee such of its functions as are necessary to enable the committee to regulate and control the finances of the council.

Finance  
committees.

50. (1) A committee appointed under the provisions of this Part may appoint a sub-committee for any such special purpose as the committee may deem expedient, but in the absence of express authority from the council in that behalf, it shall not be lawful for a committee to delegate any of its executive functions to any such sub-committee.

Sub-  
committees.

(2) The number of members of a sub-committee and their term of office shall be such as may from time to time be fixed by the committee appointing such sub-committee.

(3) A committee may make, vary and revoke standing orders respecting the place of meeting, quorum and proceedings of any sub-committee appointed by such committee, but save as otherwise provided by any such standing orders, the place of meeting, quorum and proceedings of a sub-committee shall be such as the sub-committee may determine.

(4) The provisions of sub-sections (4), (7) and (8) of section 48 shall apply in relation to sub-committees as they apply in relation to committees.

51. (1) Subject to the provisions of this Law, and with the prior approval of the Minister, a council may appoint such town, village, or area committees within the area of its authority as it may deem necessary or expedient, and may delegate to a town, village, or area committee so appointed, with or without restrictions or conditions, any function exercisable by the council with respect to the area of authority of the town, village, or area committee, except the power of making bye-laws, approving estimates, levying a rate or issuing a precept, or borrowing money.

Town,  
village, or  
area  
committees.

(2) The number of members of a town, village, or area committee appointed under this section, their term of office and method of selection, and the area within which the committee is to exercise its authority, shall be specified by the council.

(3) The Instrument may establish a town, village or area committee within the area of authority of a council and may make such provisions with respect to that committee as could be made by the council in accordance with the provisions of sub-sections (1) and (2) of this section, and where a committee is so established for an area by the Instrument the council shall not exercise the powers conferred by sub-sections (1) and (2) of this section in respect of the same area.

Joint  
Committees.

52. A council may, with the prior approval of the Minister, concur with one or more other councils in appointing from amongst their respective members a joint committee for any purpose in which they are jointly interested.

Disqualifica-  
tion for  
members of  
committee.

53. A person, not being a member of the council, who is disqualified for being or remaining an elected member in accordance with the provisions of section 19 shall be disqualified for being a member of a committee or sub-committee of the council.

Disability for  
acting as  
member of  
committee  
on account  
of pecuniary  
interest.

54. The provisions of section 46 relating to the disability of members of the council for voting on, or taking part in the discussion of, certain matters, shall apply in respect of members of a committee or sub-committee of the council, as those provisions apply in respect of members of the council, with the substitution of references to the committee or sub-committee for references to the council.

Standing  
orders for  
committees.

55. (1) Subject to the provisions of this Law, a council appointing a committee (including any town, village, or area committee) and councils which concur in appointing a joint committee, may make, vary and revoke standing orders respecting the quorum, proceedings and place of meeting of the committee and subject to any such standing orders the quorum, proceedings and place of meeting shall be such as the committee or joint committee may determine.

(2) Standing orders made under this section shall not be inconsistent with the standing orders of the council concerned made under section 45.

#### PART VIII.—JOINT BOARDS

Powers of  
councils to  
appoint  
Joint Boards.

56. (1) A council may concur with one or more other councils in establishing a joint board of those councils for the joint operation of any work or service which may be provided by those councils in accordance with, or for the purpose of their respective functions under, any enactment.

(2) The Minister may require any two or more councils to establish a joint board for any purpose for which they are empowered to do so under sub-section (1) of this section and to delegate to such board all or any of their functions in respect of the operation of that work or service in question which may lawfully be delegated.

(3) Nothing in this section shall authorise the appointment of a joint board for any purpose for which the councils are authorised or required to appoint a joint committee or joint board under any other enactment for the time being in force.

57. (1) Subject to the provisions of this section, a joint board shall be established by Instrument made by the contributing councils and shall provide for—

Instruments relating to Joint Boards of councils.

(a) the appointment by the contributing councils of members of the board and their tenure of office ;

(b) the selection and tenure of office of a Chairman of the board ;

(c) the delegation, with or without restrictions or conditions, of all or any functions of the contributing councils relating to the purpose for which the board is established, other than the power to make bye-laws, to levy a rate, or to borrow money ;

(d) the transfer to the joint board of such employees of the contributing councils as may be determined by or under the Instrument ;

(e) the transfer to the joint board of such property, rights and liabilities of the contributing councils as may be determined by or under the Instrument, or the use by the joint board of any such property.

(2) Every member of a joint board appointed by a contributing council shall vacate his seat on the joint board upon the retirement of the members of the contributing council in accordance with the provisions of sub-section (1) of section 21.

(3) An Instrument made under this section shall be subject to the approval of the Minister and, when approved, shall be published in the Gazette.

58. (1) Subject to the provisions of this or any other enactment, the government may concur with one or more councils in establishing a joint board for the operation of any work or service which may be provided by those councils in accordance with, or for the purpose of their respective functions under, any enactment.

Power to establish joint board of government and councils.

(2) A joint board shall be established under this section by Instrument made by the Governor in Council which shall make provision, in addition to the matters specified in sub-section (1) of section 57, for—

(a) the appointment and tenure of office of members of the joint board to represent the government on the board ;

(b) the transfer to the joint board of any property rights or liability of the government as may be determined by or under the Instrument or the use of any such property ;

(c) the directions which may be given to the joint board in exercise of their functions by any officer or authority ;

(d) the apportionment of the expenses of the joint board between the government and any contributing council.

59. (1) Every joint board shall be a body corporate by the name specified in the Instrument by which it is established and shall have perpetual succession and a common seal and may hold land and sue and be sued.

Further provision relating to joint board.

(2) The following provisions of this Law shall apply in relation to a joint board as they apply in relation to a council—

- (a) sections 72 to 76 inclusive ;
- (b) sections 114 to 125 inclusive ;
- (c) Parts XVI, XIX and XXI.

(3) A joint board may with the approval of the Minister make, vary and revoke standing orders—

(a) for the proceedings of the joint board, the manner of transaction of its business and the quorum and method of voting at a meeting ;

(b) the custody and use of the common seal and the manner in which documents, cheques and other instruments shall be signed on behalf of the board.

(4) The expenses incurred by joint boards established under section 56 shall be defrayed by the contributing councils in such proportion as they may agree upon or in case of disagreement as may be determined by the Minister.

(5) A joint board established under section 56 shall exercise the powers delegated to it subject to such joint directions, whether general or particular, as it may from time to time receive from the contributing councils but so long as the delegation remains in force none of the contributing councils shall itself exercise any of the delegated powers.

Amendments  
and revoca-  
tion of  
Instruments  
relating to  
joint board.

60. (1) An Instrument made under section 57 or section 58 may be amended or revoked by a subsequent Instrument made by the contributing councils or the Governor in Council, as the case may be.

(2) Without prejudice to the generality of sub-section (1) of this section, provision may be made by any such subsequent Instrument—

(a) for the exclusion of any contributing council or the inclusion of new councils ;

(b) for the dissolution and winding up of the joint board ;

(c) for the transfer to such council as may be determined by the subsequent Instrument of any employee, property, rights or liabilities of the joint board.

(3) The provisions of sub-section (3) of section 57 shall apply to an amending or revoking Instrument made by a contributing council.

## PART IX.—FUNCTIONS OF COUNCILS

### A.—General Provisions

Functions  
generally.

61. (1) A council shall have such powers and duties as are conferred or imposed upon it by or under this Law or any other enactment.

(2) It shall be the duty of every council established under this Law—

(a) to discharge the duties and obligations imposed by or under this Law or any other enactment ; and

(b) generally to assist in maintaining order and good government within the area of its authority, and for these purposes, a council may, within the limits of the functions so conferred, either by its own employees or by duly appointed agents, do all such things as are necessary or desirable for the discharge of such functions.

(3) Any function conferred upon the council by or under this Law shall be exercisable over all persons within the area of its authority save as is otherwise expressly provided in this Law or in the Instrument.

62. (1) It shall be the duty of every council together with the individual members thereof to the best of their ability to prevent the commission of any offence within the area of its authority by any person. Prevention of crime.

(2) A council or town, village or area committee or any individual member thereof, knowing of the occurrence of any act which is likely to result in a serious breach of the peace within the area of the authority of the council shall report the matter to the nearest police officer, court officer, or justice of the peace immediately, and failure to report such an act shall be an offence and shall render any individual member of the council, or town, village, or area committee concerned to a fine not exceeding one hundred pounds.

(3) Any member of a council or of a town, village or area committee within the area in which he resides shall, if called upon by a superior police officer or a justice of the peace to do so, take any action necessary for the prevention of the commission of any offence, and failure to take such action shall be an offence and shall render the individual liable to a fine not exceeding one hundred pounds.

63. (1) The Governor in Council may in the Instrument confer upon a council all or any of the powers specified in sections 64, 65 and 67. Governor in Council may confer powers.

(2) The Instrument may—

(a) provide that the exercise of any power conferred on a council under this Law shall be subject to such limitations and conditions as may be therein prescribed ;

(b) require a council to provide or maintain any of the works or services mentioned in section 65, either generally or in any specified respect.

64. The Instrument may confer power on the council to engage in any form of trade, commerce or industry. Power to engage in trade.

65. The Instrument may confer power on the council to provide and maintain works and services of the description or for the purposes following— Power to provide works and services.

Natural Resources. (1) the improvement and protection of agriculture and livestock ;

(2) the impounding of stray animals;

- (3) schemes for planned rural development and settlement ;
- (4) the prevention of soil erosion ;
- Markets. (5) markets, and stalls in places other than markets ;
- (6) public weighing machines and instruments of measurement ;
- Public Health and Housing. (7) hospitals, maternity homes, dispensaries and institutions for lepers ;
- (8) ambulance services ;
- (9) drains, sewage systems, public latrines and wash places ;
- (10) the removal and disposal of refuse and nightsoil ;
- (11) public water supplies ;
- (12) the extermination and prevention of the spread of tsetse fly, mosquitoes, and insects harmful to health, and vermin ;
- (13) public slaughter houses ;
- (14) the abatement of nuisances, and the prevention, control and isolation of infectious diseases ;
- (15) cemeteries and burial grounds ;
- (16) housing estates and urban lay-outs and settlements ;
- (17) the fighting and extinguishing of fire ;
- Roads and Transport. (18) public roads, bridges and paths ;
- (19) a system of lighting in public places ;
- (20) parking places for motor and other vehicles ;
- (21) transport services by land or water ;
- (22) the clearing, maintenance and improvement of waterways ;
- (23) public piers ;
- Recreation and Welfare. (24) public recreation grounds, open spaces and parks ;
- (25) public libraries, public amusements and entertainments ;
- (26) welfare services for children and young person (including remand homes, approved schools and clubs) ;
- (27) institutions for the aged, destitute and infirm ;
- (28) social centres and communal feeding centres ;
- Miscellaneous. (29) rest houses ;
- (30) information and publicity relating to the affairs of the council ;
- (31) watchmen for the protection of property during the hours of darkness.

66. (1) A council shall have powers to provide and maintain works and services which are incidental to any functions conferred upon it by or under this Law or any other enactment.

Further provision for works and services.

(2) Any power conferred by the Instrument on a council in pursuance of section 65 shall be exercised subject to, and in accordance with, any enactment relating to the same for the time being in force.

67. The Instrument may confer power on the council to make provision by bye-law for all or any of the following :—

Legislative powers of councils.

Natural Resources.

- (1) controlling and preventing any disease of trees, crops or plants, and controlling, preventing and destroying any plant or insect which may be harmful to crops ;
- (2) controlling the methods of husbandry ;
- (3) prohibiting, restricting or regulating the movement in or through the area of its authority of livestock of any description ;
- (4) prohibiting, restricting and regulating the keeping of livestock of any description ;
- (5) preventing and controlling diseases among animals ;
- (6) (a) for the appointment, management and control of pounds ;
- (b) for the seizing and impounding of stray animals and the recovery of expenses connected therewith ;
- (c) for the sale of impounded animals and the disposal of the proceeds of sales ;
- (d) for the payment of compensation for damage done by straying animals ;
- (7) (a) prohibiting cruelty to animals ;
- (b) authorising the detention for treatment or destruction of any animal suffering from the effects of cruelty and the recovery of the expenses of treatment or destruction ;
- (8) prohibiting or regulating the capture, killing or sale of fish or any specified kind of fish ;
- (9) preventing and controlling soil erosion ;
- (10) requiring the fencing of any land and the maintenance and repair of such fences ;
- (11) requiring any person to cultivate land to such extent and with such crops as will secure an adequate supply of food for the support of such person or those dependent on him ;

Markets.

- (12) (a) regulating the use of markets and market buildings, and for keeping order, preventing destruction and maintaining cleanliness therein or in the approaches thereto ;

- (b) prescribing the goods which may be sold in any market ;
  - (c) prohibiting the sale of any specified kind of goods within any specified area except in a market established under this Law ;
  - (d) regulating stallages, rents, tolls, fees and dues and the collection thereof ;
  - (e) for fixing the days and the hours during each day on which a market may be held and for preventing the sale and purchase of goods in the markets on any days or at any hours except those fixed ;
  - (f) prescribing the charges which may be made for the carriage by land or water of goods to or from the market within the limits named in the bye-laws ;
  - (g) prescribing the weights, scales and measures to be used in the sale of any particular produce and regulating the use thereof ;
  - (h) the examination of produce or articles of food ;
  - (i) fixing the maximum price which may be demanded on the sale by retail of any article of food in a market ;
- Roads and Transport.
- (13) (a) regulating the repairing, improving, stopping or diverting of streets, water-courses, or drains, preventing obstructions thereto and prescribing the mode of objection to the stopping or diverting thereof ;
  - (b) regulating the construction of new streets, water-courses or street drains ;
  - (c) regulating the cutting, uprooting, topping, injuring or destroying of any tree growing in any street ; and
  - (d) requiring and regulating the planting, tending, protection and preservation of trees in streets ;
- (14) (a) providing for building lines ;
  - (b) providing for the demolition or removal of structures erected in contravention of any bye-law made under sub-paragraph (a), for the sale of the materials of such structures, and for the recovery of the expense of such demolition, removal, or sale ;
- (15) (a) providing for the demolition of dangerous buildings ;
  - (b) enabling some person or persons to carry out such demolition at the expense of the owner in default of the owner so doing, to remove and sell the materials of any buildings so demolished ; and
  - (c) regulating the procedure by which such expenses may be recovered ;
- (16) regulating parking places provided for motor or other vehicles ;

- (17) (a) licensing bicycles and vehicles (but not including vehicles propelled by mechanical power) ;  
(b) specifying the equipment with which bicycles and such other vehicles must be fitted, and generally for regulating and controlling the riding of bicycles and the use of such other vehicles ; and  
(c) generally for all purposes incidental to sub-paragraphs (a) and (b) ;
- (18) requiring persons to carry lights during certain hours in certain areas ;
- (19) regulating the naming of roads and streets and the numbering of houses ;
- (20) (a) the control of the siting of advertisements and of hoardings or other structures designed for the display of advertisements ;  
(b) the removal of any advertisement the siting of which does not conform to any bye-law made under sub-paragraph (a) ; and  
(c) providing for the removal of any hoarding or structures which constitute a danger to road users or other members of the public ;
- (21) prohibiting any act or conduct which is likely to cause a riot or any disturbance or a breach of the peace ;
- (22) prohibiting, restricting or regulating gambling ;
- (23) prohibiting, restricting or regulating the carrying and possession of weapons ;
- (24) prohibiting, restricting or regulating the burning of grass or bush, and the use of fire or lights in any manner likely to ignite any grass or bush in contravention of any law or regulation ;
- (25) prohibiting, restricting, controlling or regulating noise in public places (whether the noise emanates from a public place or emanates from a private place and can be heard in a public place) including (without prejudice to the generality of the foregoing powers) the following matters :—
- (a) prohibiting, restricting, controlling or regulating—
- (i) the sounding of horns or other similar appliances fitted to vehicles other than motor vehicles ;
- (ii) the playing of gramophones, phonographs, musical-boxes, automatic musical instruments, wireless loudspeakers or any other form of mechanical reproduction of sound ;

- (iii) the use of loudspeakers, loud-hailers, megaphones and all forms of public address equipment whether mechanical or otherwise ;
- (iv) singing, shouting, drumming and the playing of instruments of all kinds ;
- (b) the licensing of any persons, buildings, places, vehicles or instruments in connection with any of the matters mentioned in paragraph (a) and the grant of permits to any persons in respect of the same ;
- (26) licensing and regulating guides, porters and carriers ;
- (27) controlling the movement of beggars in streets and public places ;
- (28) suppressing brothels, disorderly houses, and preventing prostitution ;
- (29) prohibiting, restricting or controlling the hawking of wares ;
- (30) regulating, and licensing any suitable building or other place for, the performance of stage plays or public entertainments (not including the exhibition of cinematograph films) and prescribing the conditions under which such plays or entertainments may be shown ;
- (31) requiring the registration of persons residing within the area of the authority of the council or in any part thereof ;
- (32) requiring the marriage, birth or death of any person within the area of the authority of the council to be reported to or registered with the council ;
- (33) (a) regulating native marriages and prescribing the grounds upon which such marriages may be dissolved ;
- (b) prescribing the amount of dowry which may be payable in connection with such marriages and the amounts which shall be paid on account of the refund of dowry upon the dissolution of a native marriage ;
- (c) providing for the custody and maintenance of the children of a native marriage that is dissolved ;
- (34) regulating and controlling the movement of children and young females from or within the area of the council ;
- (35) regulating child betrothals within the area of its authority and prescribing safeguards to be taken—

Miscellaneous.

- (a) when the child betrothed leaves the place in which her parents or guardians reside but does not leave the area of authority of the council making the bye-law ;
- (b) when the child betrothed leaves the area of authority of the council making the bye-law ;
- (36) prohibiting, restricting, regulating or licensing the manufacture, distillation, sale, supply, possession or consumption of palm wine and any description of fermented liquor (not being liquor to which the Liquor Ordinance applies) usually made by Nigerians or the inhabitants of the adjacent territories ;
- (37) regulating any work or service provided or maintained by the council under the provisions of section 65 ;
- (38) protecting and preventing injury to any property, movable or immovable, vested in or under the control of the council ;
- (39) prescribing the powers and duties of any person appointed or employed in connection with any of the purposes of bye-laws made under this Law.

68. (1) Any power conferred under section 67 to make legislative provision with respect to building lines shall not extend to roads for the time being subject to the Building Lines (Regulation) Ordinance. Special provisions relating to certain bye-laws.

(2) Any power conferred under section 67 to make legislative provision with respect to the registration of births and deaths shall not extend to births and deaths which are registrable under the Births, Deaths and Burials Ordinance.

69. Where it is so provided by any enactment other than this Law, the Instrument may confer powers or impose duties on the council under that enactment. Functions under other enactments.

70. (1) Any power to make bye-laws conferred on a council by or under the Instrument may be concurrent with a like power conferred on another council having authority over the area or part of the area of the council to which the Instrument relates. Powers may be concurrent.

(2) Where a council proposes to make bye-laws with respect to any matter to which bye-laws made by a council having concurrent powers are in force it shall send a copy of the proposed bye-laws to that council and that council shall, if it objects to the making thereof, inform the council proposing to make the bye-laws and the authorities responsible for approving the same.

71. (1) Subject to the provisions of the Instrument, a council which is superior to another council having authority over part of its area may delegate to that council, with or without restrictions and conditions,— Council may delegate powers.

(a) any of its powers conferred under section 65 ; or

(b) any powers to enforce any bye-law made by the council.

(2) A delegation shall not be made under this section except with the consent of the Minister and of the council to which the power is to be delegated.

(3) In the exercise of powers delegated under this section a council shall act as agent of the delegating council.

(4) For the purposes of this section a Divisional council shall be superior to a District and a Local council, and a District council shall be superior to a Local council.

#### B.—Miscellaneous Powers of Councils

Powers to  
contract.

72 (1) Subject to the provision of this section, a council may enter into any contract necessary for the discharge of any of its functions under this Law or any other enactment.

(2) A council shall not enter into any contract to the value of two thousand pounds or upwards without the prior approval of the Minister.

(3) A council shall not enter into a contract with any person who is for the time being a member of the council.

(4) Any contract made by a council shall be made in accordance with the standing orders of the council and, in the case of contracts for the supply of goods and materials or for the execution of works to the value of two hundred and fifty pounds and upwards, such standing orders shall—

(a) require that notice of the intention of the council to enter into the contract shall be published and tenders invited ; and

(b) regulate the manner in which such notice shall be published and such tenders given.

(5) A person entering into a contract with a council shall not be bound to enquire whether the standing orders of the council which apply to the contract have been complied with or, in the case of a contract to the value of two thousand pounds or upwards, whether the prior approval of the Minister has been obtained and all contracts entered into by a council, if otherwise valid, shall have full force and effect notwithstanding that the standing orders applicable thereto have not been complied with or that the approval of the Minister has not been obtained.

Powers to  
accept gifts.

73. A council may accept, hold and administer any gift of property for any public purpose, or for the benefit of the inhabitants of the area of its authority or any part thereof, and may execute any works (including works of maintenance and improvement) incidental to or consequential on the exercise of the powers conferred by this section.

Provision of  
offices, etc.,  
by councils.

74. (1) A council may—

(a) build, acquire, provide or hire and furnish buildings within the area of the authority of such council to be used for the purpose of transacting the business of the council and for public meetings and assemblies ;

(b) combine with any other council for the purpose of building, acquiring, providing or hiring and furnishing any such buildings ; or

(c) contribute towards the expense incurred by any other council in building, acquiring, providing or hiring and furnishing any building within the area of the authority of such council suitable for use for any of the aforesaid purposes.

(2) A council may build, provide or hire and maintain quarters or houses for any employee of the council.

75. Subject to the prior approval of the Minister a council may charge fees for any service or facility provided by the council. **Fees.**

76. A council may insure against risks of any description.

**Powers to insure.**

77. (1) The Governor in Council may in the Instrument provide that a council shall have power to make declarations and recommend modifications of local customary law.

**Declarations and modifications of customary law.**

(2) Where a council has the power conferred by this section it may and shall where so required by the Governor in Council,—

(a) make a declaration stating the customary law which appears to it to apply in its area or any part of it to any matter ; or

(b) submit a recommendation that the customary law applying in its area, or any part of it, to any matter be modified in the manner therein stated.

(3) The Governor in Council may if satisfied—

(a) in the case of a declaration, that it accurately records the customary law in question ;

(b) in the case of a recommendation, that the modification is expedient ; and

(c) in the case of a declaration and a recommendation that it is not repugnant to justice, equity and good conscience or incompatible, either in its terms or by necessary implication, with any enactment, by order direct that the customary law stated in the declaration or as modified in the recommendation, as the case may be, shall be the customary law applying to the matter for the area to which the declaration or recommendation relates.

(4) A declaration or recommendation may be in respect of the customary law applying generally or to specified persons or classes of persons.

(5) A recommendation for modification of customary law may be submitted whether or not a declaration or an order under this section with respect to the same has been made.

(6) The power conferred under this section shall not extend to customary law relating to any matter for which provision is made in the Chiefs Law, 1957.

PART X.—BYE-LAWS

- Application.** 78. The provisions of this Part shall apply to bye-laws to be made by a council by virtue of—
- (a) this Law ; and
  - (b) any enactment in force at the date of this Law ;
  - (c) any enactment passed after the commencement of this Law.
- Interpretation.** 79. In this Part “the approving authority” means, in relation to bye-laws made by virtue of this Law, the Minister and in relation to bye-laws made by virtue of any other enactment the authority whose approval is required by that enactment to the bye-laws.
- Penal and other provisions.** 80. (1) There may be annexed to a bye-law a penalty not exceeding fifty pounds or imprisonment not exceeding six months, as the council making the bye-law may think fit, on any person who fails to take any action required by, or who disobeys, the bye-law.
- (2) A bye-law may specify a further penalty of five pounds for each day on which a breach of the bye-law is committed after written notice has been served on the offender.
- Cap. 94.** (3) Subject to the provisions of sub-section (1) and (2) of this section, sub-section (1) of section 19 and section 20 of the Interpretation Ordinance shall apply in relation to bye-laws of a council.
- Making and approval of bye-laws.** 81. (1) Bye-laws shall be made under the common seal of the council and shall not have effect until they are approved by the approving authority.
- (2) Where bye-laws are submitted for approval by a council the approving authority may—
- (a) approve the bye-laws as submitted ;
  - (b) make any amendment in the bye-laws that could be made by the council and approve the bye-laws as amended ; or
  - (c) refuse to approve the bye-laws.
- (3) The approving authority may fix the date on which the bye-laws are to come into operation and if no date is so fixed the bye-laws shall come into operation on the date of publication of the bye-laws in the manner provided.
- Adoptive bye-laws.** 82. (1) The approving authority under this Law or any other enactment may, by order, make adoptive bye-laws with respect to any matter for which a council is authorised to make bye-laws by virtue of the enactment in question and may in such order provide that the adoption of such bye-laws may be either as a whole or in such parts as may be specified therein.
- (2) Subject to the provisions of this section and of any order made by the approving authority under sub-section (1) of this section, a council may adopt any bye-laws published as aforesaid which relate to any matter with respect to which the council has powers to make bye-laws.

(3) The following provisions shall apply with respect to the adoption of any bye-laws by a council—

(a) the adoption shall be by resolution passed at a meeting of the council ;

(b) notice of the resolution shall be published in the Gazette and shall be conclusive evidence of the resolution having been passed ;

(c) the adoption of the bye-laws shall take effect from the date of the publication of the notice in the Gazette ;

(d) bye-laws adopted in accordance with the provisions of this section shall have the same force and effect as if they had been made by the council and may be revoked by resolution of the council published in accordance with paragraph (c) of this sub-section ;

(e) bye-laws adopted in accordance with the provisions of this section may be amended by the adoption of any amendment made thereto by the approving authority ;

(f) the approval of the approving authority shall not be required.

(4) Any adoptive bye-laws adopted by a council shall, notwithstanding the revocation of such adoptive bye-laws or any part thereof by the approving authority, remain of full force and effect.

(5) Any amendment by the approving authority of adoptive bye-laws shall not be of force within the area of any council by which such adoptive bye-laws have been adopted unless and until such amendment shall have been adopted in accordance with the provisions of sub-sections (2) and (3) of this section.

83. The approving authority under this Law or any other enactment may, at any time after having given to a council reasonable notice and having considered the representations of the council thereon, make or amend any bye-law which that council is authorised to make by virtue of that enactment or revoke any bye-law made by that council by virtue of that enactment.

Approving authority may make bye-laws.

84. (1) (a) A copy of every bye-law approved by the approving authority or adopted by a council—

(i) shall be deposited at the offices of the council by whom the bye-law was made or adopted, and shall at all reasonable times be open to public inspection without payment ;

(ii) shall be sent by the council to the registrar or clerk of every magistrate's court or customary court having jurisdiction within the area of authority of the council.

(b) A copy of every such bye-law shall, on application, be furnished to any person on payment of such sum as the council may determine.

(2) A Divisional council shall send a copy of every approved bye-law made by it and every bye-law adopted by it to every other council to whose area the bye-law applies.

Copy of bye-law to be deposited at council offices.

(3) Any council which receives a copy of a bye-law under the provisions of this section shall deposit such copy at its offices.

(4) The copy so deposited shall be open to inspection by the public without payment.

PART XI.—GENERAL POWERS OF SUPERVISION AND INSPECTION

Power to hold inquiries.

85. (1) The Governor in Council may cause such inquiries to be held at such times and in such places as he may consider necessary or desirable for the purposes of this Law.

(2) The Governor in Council may appoint in writing any person to conduct any such inquiry.

(3) The Governor in Council or persons appointed by him under this section shall cause a notice of the time and place of the inquiry to be given to the councils and persons appearing to him to be interested.

(4) Where the Governor in Council causes an inquiry to be held the costs of such inquiry shall be defrayed by such council or person as he may direct and the amount certified by him to be paid by such council or person shall be a debt due to the Government from that council or person.

(5) The provisions of the First Schedule shall have effect with respect to the powers of a person appointed to conduct an Inquiry under this section and the proceedings before an Inquiry.

Powers to dissolve and appoint committees of management.

86. (1) Where—

(a) a council fails in any year to hold the meetings it is required to hold by section 31 ; or

(b) the Governor in Council is satisfied that a council is not discharging its functions under this Law in a manner conducive to the welfare of the inhabitants of the area of its authority as a whole, he may by order—

(i) direct that the seats of the President and all members of the council shall become vacant and appoint a committee of management ; or

(ii) direct that the seats of all members of the council, other than the President or traditional members appointed directly by the Instrument, shall become vacant and that a general election shall be held to fill the seats vacated.

(2) Where a committee of management is appointed—

(a) the term of office of the members of the committee shall be stated in the order ;

(b) the committee shall have and discharge, in accordance with this Law, all the functions of the council under this Law or any other enactment ;

(c) the provisions of Parts VI and VII shall have effect in relation to the committee only to the extent specified in the order.

(3) Where a general election is held in accordance with a direction under sub-paragraph (ii) of sub-section (1) of this section, the term of office of the persons elected shall expire on the date upon which the members of the council in whose place they were elected would ordinarily retire.

87. (1) Where it appears to the Minister that a council has failed to— Power to control expenditure.

(a) levy or levy sufficiently any rate or tax which may be levied by it ; or

(b) to collect or to collect sufficiently any rate or tax which it is its duty to collect.

he may direct that expenditure shall not be incurred by the council in respect of such matters and during such period as he may specify.

(2) The powers conferred by this section shall be in addition to the powers conferred by section 86.

88. Where it appears to the Governor in Council that any council— Power to carry out work or to enforce bye-laws.

(a) has failed to do or carry out any work or thing which it is or may be empowered under the provisions of this Law or any other enactment to do or carry out ; or

(b) has failed to enforce any bye-laws enforceable by the council, and that such failure on the part of the council constitutes a grave danger and menace to the health, safety or welfare of the public within or without the area ;

the Governor in Council may give notice to the council in default, requiring it to take measures within its powers under the provisions of this Law or any other enactment to abate and remove such danger within such time as he may specify ; and if the council shall fail to take and properly carry out the required measures, the Governor in Council upon being satisfied that the council has so failed without reasonable cause, may authorise any person or persons to do or carry out any works or things and to spend such moneys in so doing or carrying out works or things as to him seem necessary and such person or persons shall be deemed to have vested in him or them all of the powers of the council in respect of the doing or carrying out of the particular work or thing ; and any moneys so expended under the authority of the Governor in Council shall be a debt due to the government charged on the revenues of the council concerned.

89. (1) Where the Governor in Council is satisfied that any council has made default in the performance of any function conferred or imposed upon it by or under this Law or any other enactment, he may make an order declaring the council to be in default and may, by the same or any other order— Power to enforce function of councils.

(a) for the purpose of removing the default direct the council to perform such of its functions in such manner and within such time or times as may be specified in the order ; or

(b) transfer to such person or body as he may deem fit such of the functions of the council in default as may be specified in the order.

(2) Where a council with respect to which an order has been made under paragraph (a) of sub-section (1) of this section fails to comply with any requirement thereof within the time limited thereby for compliance with that requirement, the Governor in Council may make an order under paragraph (b) of that sub-section.

(3) Where any functions of a council are transferred to any person or body under the provisions of sub-section (1) of this section, the expenses incurred by such person or body in discharging those functions shall be a debt due from the council in default to such person or body, as the case may be.

(4) Nothing in this section shall apply in relation to any functions conferred or imposed upon a council under the provisions of the Education Law, 1954.

Local Government Inspectors and Advisers.

90 (1) The Governor may appoint, in respect of any council or group of councils—

- (a) a Local Government Inspector ; and
- (b) a Local Government Adviser ; and
- (c) Assistant Local Government Advisers.

(2) Local Government Inspectors, Local Government Advisers and Assistant Local Government Advisers in addition to such powers as may be delegated to them under this Law—

(a) shall have the right to attend all council and committee meetings ;

(b) shall at all reasonable times have access to and be entitled to inspect all books, accounts and records of a council ; and

(c) may advise a council in regard to any of its functions under this Law.

(3) As soon as possible after the end of each financial year a Local Government Adviser shall render to the Minister a report dealing generally with the activities in that year of each council in respect of which he is appointed :

Provided that the Minister may, in respect of any financial year, direct that the provisions of this sub-section shall not apply in relation to any council or group of councils.

(4) References in this section to a council shall include a joint board.

## PART XII—EMPLOYEES OF COUNCILS

### Introductory

Interpretation.

91. (1) In this Part—

“member of the unified local government service” means a person who is the substantive holder of a post in that service but does not include a person, not otherwise the substantive holder of such a post, appointed to act in a post in that service ;

“superior post” means a post declared a superior post by or under regulations made under section 95.

(2) Nothing in this Part shall apply in relation to a member of a local government police force, or to a person employed as a teacher within the meaning of the Education Law, 1954.

(3) References in this Part to a council include a joint board established under Part VIII and a joint committee established under the Local Government Police Law, 1955.

*The Unified Local Government Service*

92. (1) There shall be a Local Government Service Board which shall consist of a Chairman and three other members who shall be appointed by the Governor.

Local Government Service Board.

(2) A member of the Local Government Service Board shall, unless he resigns or is removed, hold office for a period of five years from the date of his appointment.

(3) The Governor may remove any member of the Local Government Service Board from his office.

(4) A member of the Local Government Service Board shall be paid such salary or allowance as the Governor in Council may determine.

93. Superior posts in the employment of any council shall be posts in the unified local government service.

Unified Local Government Service.

94. Subject to the provisions of this Law, the Local Government Service Board shall have power—

Powers of Local Government Service Board.

(a) to make appointments (including promotions) to posts in the unified local government service ;

(b) to transfer members of the unified local government service between posts in that service (including transfers between councils) ;

(c) to exercise disciplinary control over members of the unified local government service.

95. (1) Subject to the provisions of this Law, the Governor in Council may make regulations for giving effect to sections 91 to 94 and in particular, and without prejudice to the generality of the foregoing powers may by such regulations make provision for any of the following matters—

Regulations relating to Local Government Service Board.

(a) the terms of service of members of the Local Government Service Board ;

(b) the organisation of the work of the Local Government Service Board and the manner in which the Board shall perform its functions ;

(c) the appointment, tenure of office and terms of service of staff to assist the Local Government Service Board in the performance of its functions ;

(d) the declaration of superior posts for the purposes of section 93 ;

(e) consultation by the Local Government Service Board with any council or any person other than a member of the Board

(f) with respect to members of the unified local government service, any matter for which provision may be made under section 104 with respect to the employees of councils.

(2) Regulations made under this section shall provide for consultation by the Board with any councils affected in the exercise of the powers conferred by paragraph (b) of section 94.

*General provisions relating to employees*

Appointment and dismissal of staff.

96. (1) For every council there shall be a Secretary and a Treasurer and such other employees as the council may think necessary for the efficient discharge of their functions.

(2) Subject to the provisions of this Law, a council may make appointments to any post established in accordance with sub-section (1) of this section other than posts in the unified local government service, and may dismiss any person so appointed.

(3) The posts of Secretary and Treasurer of a council may, if the Minister approves, be held by one person.

Status and duties of Secretary of councils.

97. (1) The Secretary of a council shall be the chief executive and administrative officer of the council and shall be responsible for co-ordinating the whole of the work of the council.

(2) He shall be responsible for convening all meetings of the council and its committees and for the preparation of minutes and reports of such council and committees.

(3) He shall advise the council and its committees on all matters upon which his advice is necessary, including the standing orders of the council and local government legislation, and shall be entitled to attend all meetings of the council and of its committees.

(4) He shall advise the President and chairman of the council on all matters appertaining to their respective offices.

Members of the council not to be employees.

98. A person shall, so long as he is, and for twelve months after he ceases to be, a member of a council be disqualified for being appointed by a council as an employee of a council.

Joint appointment.

99. (1) Subject to the provisions of this section, a council may agree with any one or more councils, whether situated in the same area or not, on the joint employment of any staff.

(2) No joint appointment under sub-section (1) of this section shall be made without the approval of the Minister.

(3) Where it appears to the Minister expedient so to do, he may require any two or more councils to concur in the joint employment of any staff and, if any such council fails to employ any person when required to do so under this section, the Minister may exercise, on behalf of such council, the powers of employment conferred on a council by this Law.

100. (1) If it comes to the knowledge of a person employed, whether under this Law or any other enactment, by a council, that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the council or any committee thereof, he shall, as soon as practicable, give notice in writing to the council of the fact that he is interested therein.

Disclosure by employees of interest in contracts.

(2) For the purposes of this section a person shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of sub-section (2) or sub-section (3) of section 46 had he been a member of the council.

101. A council may, with the approval of the Governor, appoint to any employment in its service a Government officer for such period and on such terms and conditions as the Governor may approve.

Appointment of seconded Government officers.

102. A council may in the case of any person in its employment, other than a Government officer appointed under the provisions of section 101, or in the case of a person not in its employment, but who is likely to be entrusted with the custody or control of money or property belonging to the council, either require him to give, or itself take, such security for the faithful execution of his office and for his duly accounting for all money or property which may be entrusted to him, as the council may think sufficient.

Security may be demanded by council of its employees and others.

103. (1) Every person employed by a council, whether under this Law or any other enactment, shall at such times during the continuance of his office, or within three months after his ceasing to hold it, and in such manner as the council may require, make out and deliver to the council, a true account in writing of all money and property committed to his charge, and of his receipts and payments, with vouchers and other documents and records supporting the entries therein, and a list of persons from whom or to whom money is due in connection with his office showing the amount due from or to each.

Accountability of employees.

(2) Every such person shall pay all money due from him to the council in such manner as the council may direct.

(3) If any such person—

(a) refuses or wilfully neglects to make any payment which he is required by this section to make ; or

(b) after three days' notice in writing signed by the President or chairman of the council or by three members thereof, and given or left at his usual or last known place of residence, refuses or wilfully neglects to make out or deliver to the council, or as it directs, any account or list which he is required by this section to make out and deliver, or any voucher or other document or records relating thereto, or to give satisfaction respecting it to the council,

a magistrate's court having jurisdiction where the person is or resides may, on complaint, by order require him to make such payment or delivery or to give such satisfaction.

(4) Nothing in this section shall affect any remedy by action against any such person or his surety, except that the person shall not be both sued by action and proceeded against under the provisions of this section for the same cause.

Regulations relating to council employees.

104. (1) The Governor in Council may by regulation make provision, with respect to the employees of councils, for any of the following matters—

- (a) the qualifications to be required for appointment ;
- (b) the method of appointment (including probation and confirmation) ;
- (c) the form of any agreement to be entered into between a council and its employees ;
- (d) the terms and conditions of service (including, without prejudice to the generality of this expression, the salaries and allowances ; the grant of advances, the provision of quarters, leave, and medical and dental treatment) ;
- (e) the procedure and requirements for promotion ;
- (f) the maintenance of discipline (including dismissal and the termination of appointments) ;
- (g) the transfer of employees between councils ;
- (h) such other matters relating to departmental procedure and the duties and responsibilities of employees as the Governor in Council considers can be best regulated by regulations.

(2) Regulations made under sub-section (1) of this section may—

(a) make different provision for different classes or grades of employee and employees of different descriptions of council ;

(b) in relation to discipline provide for—

(i) the withholding or deferring of increments, or reduction in rank or salary either permanently or for a stated period ;

(ii) the deduction from salary due or about to become due of such sum as may be appraised in respect of damage to property of the council by misconduct or breach of duty on the part of an employee.

(c) require the consent of the Governor in Council or the Minister to the exercise of any powers.

(3) Regulations made under this section shall not apply to members of the unified local government service ;

#### *Retirement and pension provisions*

Age of retirement.

105. (1) Without prejudice to other powers of terminating the employment of any person, an employee in the pensionable service of a council shall normally retire from that service when he attains the age of sixty years, and unless a council by resolution in a particular case, or with regard to any particular class of employees otherwise determine, all such employees shall retire on attaining that age.

(2) An employee in the pensionable service of a council (other than the holder of a post in the unified local government service) may retire, or may be called upon by the council to retire, on his attaining the age of forty-five years.

106. (1) The Governor in Council may by regulation make provision with respect to the pensions and gratuities which are to be paid whether as of right or otherwise,— Pension regulations.

(a) to persons who have been members of the unified local government service ;

(b) to other persons who have been employees of a council or councils ;

(c) to the legal personal representatives, estates or dependants of persons who die when they are members of the unified local government service or in the employment of a council ;

(d) to the widows and children of deceased persons who have been members of the unified local government service or otherwise employed by a council or councils.

(2) Without prejudice to the generality of sub-section (1) of this section regulations made under this section shall contain such provision as appears to the Governor in Council to be necessary or expedient in relation to—

(a) a person who transfers to or from service with the government ;

(b) a person who transfers to or from employment with a council from or to employment with another council ;

(c) may make different provisions for the employees of different descriptions of council.

107. (1) Notwithstanding the provisions of section 106, the Governor in Council may establish and maintain a scheme for the payment of pensions and gratuities to the widows and children of deceased persons who have been members of the unified local government service or otherwise employed by a council or councils which participate in the scheme, and any such scheme may, with the approval of the Governor in Council, be altered, varied, amended or wound up from time to time, due regard being had to the existing rights of any employee or person coming within the scope of the scheme. Widows and orphans pension scheme.

(2) Where a scheme has been established in accordance with the provisions of sub-section (1) of this section any council may by resolution, which shall be irrevocable except with the consent of the Governor in Council, elect to participate in such scheme and there upon such council shall be liable to make such contributions to, and the persons employed by such council shall be entitled to such benefits under, such scheme as may be prescribed by regulations made under this section.

(3) The Governor in Council may make regulations for the maintenance, control and management of a scheme established under this section.

(4) It shall be lawful for a council to require any person employed by it to make contributions under the provisions of any pensions scheme established under this section.

Pensions are not liable to attachment.

108. No pension or gratuity or other allowance granted in pursuance of the provisions of this Part, and no rights acquired by any person in respect of contributions made in pursuance of provisions for the grant of pensions to widows and children of deceased employees, shall be assignable or transferable, or liable to be attached or sequestered or levied upon, for or in respect of any debt or claim :

Provided that the provisions of this section shall not affect the right of the council or the Government to recover out of any sums due or payable to or in respect of any employee any amount owing to the council or the Government by such employee.

#### PART XIII—GENERAL FINANCIAL PROVISIONS

Declaration of revenue and funds of councils.

109. (1) The revenue and other funds of a council are hereby declared to be as follows—

(a) all sums of money or funds as are lawfully in possession of the council on the appointed day ;

(b) revenue accruing to a council from the following sources—

(i) moneys derived from any rate imposed by the council by virtue of the provisions of this Law ;

(ii) moneys payable to a council under the provisions of any other Law or Ordinance ;

(iii) moneys derived from licences, permits, dues, charges or fees specified by any bye-laws or rules made by a council ;

(iv) receipts derived from any public utility concern, or any service or undertaking belonging to or maintained by a council either in whole or in part ;

(v) rents derived from the letting or leasing of any building or land belonging to a council ;

(vi) grants-in-aid out of the general revenue of Nigeria, or of the Region, or other public revenue ;

(vii) any particular public revenue which may lawfully be assigned to a council ;

(viii) any sums of money which may lawfully be assigned to a council by any public corporation ;

(ix) interest on the invested funds of a council ;

(x) such sums of money as are payable to a council in satisfaction of a precept issued by the council on a rating authority in accordance with the provisions of Part XV ;

(xi) such sums of money as may be granted to a council by any other council.

(2) Any other moneys lawfully derived by a council from any other source not hereinbefore specifically mentioned shall be and form part of the revenue and funds of such council.

110. (1) Subject to the provisions of this section, all revenues of a council shall be paid into the general revenue of the council and shall be applied to the administration, development and welfare of the area over which its authority extends and to the welfare of the inhabitants thereof. Application  
of revenues.

(2) Of the revenues accruing in respect of any trading, commercial or industrial undertaking engaged in and maintained by a council under the provisions of section 64 only such part thereof as the council shall determine shall be paid into the general revenue of the council and the remainder shall be applied and used solely for the purposes of the undertaking.

111. (1) Subject to the provisions of this Law, a council may incur expenditure necessary for, and incidental to, the carrying out of any function conferred upon it by or under this Law or any other enactment. Expenditure.

(2) The Instrument may—

(a) confer power on a council to incur expenditure, subject to such restrictions and conditions as the Instrument may specify, for any of the following purposes, in addition to the purposes specified in sub-section (1) of this section—

(i) the maintenance of any office of chief or other traditional title which, on the appointed day, is being maintained by the council or which the council resolve, by the votes of three-quarters of all the members, should be maintained by it ;

(ii) the grant and maintenance of scholarships and bursaries to suitable persons to attend any school or educational institution in Nigeria or elsewhere ;

(iii) the establishment, maintenance or equipment of any school or institution which is maintained or assisted under the Education Law, 1954 ; Law No. 6  
of 1955.

(iv) the establishment or maintenance of any public library or museum or for the assistance of any association existing for the promotion of arts, crafts, recreation or sport ;

(v) the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum or medical institution, not maintained by the council ;

(vi) the establishment and maintenance of local government associations.

(b) require the council to discharge any liability in respect of which expenditure may be incurred by it in accordance with the powers conferred on it by or under this Law.

(3) All liabilities falling to be discharged by a council shall be met from the general revenue and funds of the council, except any liability that may properly relate to any commercial, industrial or trading undertaking engaged in by the council in the exercise of powers conferred under section 64 which shall be met from the funds of the undertaking.

Loans to other councils.

112. A council may make grants or loans to any other council for the purposes of any of the functions of the last mentioned council conferred by or under this Law or any other enactment.

Power to borrow.

113. (1) A council may from time to time raise loans within Nigeria of such amounts, from such sources, in such manner, upon such conditions and for such purposes in fulfilment of their lawful functions as the Governor in Council may approve.

(2) Such loans shall be secured upon the property and the revenues of the council.

(3) Where any interest or any payment of capital due on any loan remains unpaid for three months after a demand therefor has been served on the council in writing by the person entitled thereto, the Governor in Council may—

(a) order that a rate necessary to produce the sum due shall be levied upon and collected from the ratepayers of the area of the authority of the council either immediately or at such date as he shall order, and for the purpose of raising such sum the Governor in Council shall in addition have the same power as the council concerned, of making and levying a general rate or of issuing a precept ; or

(b) order the sale of any property including land on which the loan is secured.

(4) The power of the Governor in Council under this section of making and levying a rate may be exercised at any time.

Overdrafts.

114. (1) Subject to the provisions of this section, it shall be lawful for a council to obtain advances from banks by overdraft upon the credit of the council.

(2) No such overdraft shall at any time or in any circumstances exceed the income of the council in the preceding financial year.

Investment of funds.

115. A council may invest all or any portion of the moneys of the council in such manner as may be approved by the Minister.

Financial years.

116. The financial year for each council shall begin on the 1st day of April in one year and end on the 31st day of March in the year next following.

Accounts to be kept and to be made up yearly.

117. (1) Every council shall keep accounts and other records in relation thereto in accordance with such instructions as may be issued under section 119.

(2) Every council shall immediately after the end of each financial year cause its accounts for that year to be brought to a balance and a balance sheet prepared with respect thereto together with a statement or abstract of such accounts.

Advances and loans.

118. (1) A council may make advances and loans within such limits and upon such conditions as may be approved by the Governor in Council.

(2) A council may operate deposit and suspense accounts in accordance with instructions issued under section 119.

(3) For the purposes of sub-section (1) of this section approval may be given generally or in respect of any particular council or councils.

119. (1) The Minister may issue written instructions (to be called Financial Memoranda), not inconsistent with any of the provisions of this Law, for the better control and management of the financial business of councils, and for the regulation of the procedure of Finance Committees ; and such instructions may be issued either generally or with respect to any particular council or with respect to the councils in any particular area and shall be observed and obeyed by the council or councils with respect to which such instructions have been issued. Financial Memoranda.

(2) Without prejudice to the generality of sub-section (1) of this section, instructions under this section may make provision for any of the following—

(a) the conditions upon which out of pocket expenses may be paid to members of councils or members of committees of councils whilst engaged on the business of the council ;

(b) the restrictions and conditions applying to the authorisation by a council of expenditure appropriated in an approved estimate for one purpose to other purposes therein contained.

120. (1) Every council shall in each year—

(a) cause to be prepared, in such form as may be directed by the Minister, a detailed estimate of its revenue and expenditure for the next ensuing financial year ; Annual estimates.

(b) consider and approve, with or without modifications, such estimates ; and

(c) submit to the Minister, within such time and in such manner as may be directed by the Minister, a copy of the estimates approved by it and of the resolution of the council giving such approval.

(2) The Minister shall consider an annual estimate submitted by a council and may either approve or disapprove such estimate as a whole or disapprove of any item or items contained therein, and shall notify the council accordingly.

(3) Where the Minister does not notify his approval or disapproval before the commencement of the financial year for which an annual estimate is prepared, the council may by resolution authorise expenditure, in accordance with such estimate, on such items as had received approval in the estimates for the previous financial year so long as the total expenditure so authorised by resolution does not exceed twenty-five per centum of its revenue for the preceding year.

(4) The Minister may impose such conditions upon the giving of his approval under the provisions of sub-section (2) as he shall think fit, and until any such condition is satisfied by the council to

which it is addressed such estimate or such item or items in such estimate shall be deemed to be disapproved by the Minister for the purposes of this section.

(5) Where the Minister approves the annual estimates as a whole the council may incur the expenditure, collect the revenue, and generally put into operation the provisions of the approved estimate, but where the estimate is disapproved as a whole, no expenditure shall be incurred, no revenue collected nor shall any of the provisions of the estimate be put into operation without the prior approval of the Minister.

(6) Where the Minister disapproves of any item or items of expenditure or revenue in an annual estimate submitted for approval, the council shall not incur any expenditure or collect revenue, as the case may be, in respect of the item or items disapproved.

(7) Where the Minister—

(a) has disapproved of an annual estimate as a whole ; or .

(b) has disapproved of any item or items in an annual estimate and subsequently approves such estimate or such item or items ; or

(c) subsequently approves an amended or varied annual estimate or amended or varied item or items,

then such estimate or such item or items shall, unless the Minister otherwise directs, be deemed to be and to have been an approved estimate or an approved item or items from the beginning of the financial year to which such estimate or item or items relate.

(8) Subject to the provisions of any Financial Memoranda relating thereto, a council may by resolution authorise the expenditure of money appropriated for any one purpose in an approved estimate on any other purpose therein contained, but no such expenditure shall be incurred for any purpose in respect of which provision has not been made in such approved estimate without the prior consent of the Minister, and no expenditure shall in any case be so incurred in respect of any purpose where the item in the estimate relating thereto has been disapproved by the Minister.

Supplemen-  
tary  
estimates.

121. Where it appears to a council in any financial year that expenditure for any specified purpose is desirable and no, or insufficient, provision therefor has been made in the estimate for such year, a council may submit a supplementary estimate to the Minister for approval and the provisions of sub-sections (2), (4), (5), (6) and (7) of section 120 shall apply to such supplementary estimate as they apply to an annual estimate.

Revised  
estimates.

122. Where in any financial year it appears to the Minister to be necessary he may direct a council to prepare revised estimates of revenue and expenditure in respect of that year and the provisions of section 120 shall apply accordingly.

123. The Minister may direct that any council shall have authority to control its own finances, in which case the council shall forward to the Minister any estimate or supplementary estimate of revenue or expenditure required to be submitted in accordance with the foregoing provisions of this Part, but the power of approval or disapproval of such estimate or supplementary estimate or of any item thereof, shall not, during the continuation of such direction, be exercised by the Minister.

Councils  
controlling  
own finances.

124. (1) Subject to the provisions of this section, a council may, from time to time, by resolution authorise the writing off, as an irrecoverable debt in regard to which no further proceedings need be taken, of any sum due or payable to the council by any person, on the ground of the poverty of such person or for other sufficient cause.

Writing-off  
of irrecover-  
able arrears  
of revenue.

(2) No such sum shall be written off as an irrecoverable debt without the prior approval of the Minister if it exceeds one hundred pounds in any one case, or if, by so writing it off, the total sum written off in any financial year will exceed the sum of two hundred and fifty pounds.

125. (1) Subject to the provisions of this section, a council may from time to time by resolution authorise the writing off of deficiencies of cash or stores.

Writing-off  
of deficiencies  
of cash  
and stores.

(2) No such deficiency shall be written off without the prior approval of the Minister if it exceeds one hundred pounds in value in any one case, or if, by so writing it off, the total value of such deficiencies written off in any financial year will exceed the value of two hundred and fifty pounds.

#### PART XIV.—RATING

##### *General*

126. In this Part—

“assessed value” in relation to a tenement means the value at which the tenement is for the time being assessed in accordance with an order made under section 154 ;

“the Commissioner” means the Commissioner of Inland Revenue of the Region ;

“occupier” in relation to a tenement means the person in occupation of the whole or of any part of such tenement, but does not include a lodger ;

“owner” in relation to a tenement includes the holder of a tenement direct from the Crown whether under lease, licence, or otherwise ;

“tenement” means land with buildings which is held or occupied as a distinct or separate holding or tenancy or any wharf or pier, but does not include land without buildings ;

“total income” means the aggregate income of a person from the sources specified in section 138 remaining after deduction of any exemptions or deductions authorised by or under sections 139 and 141 ;

Interpreta-  
tion.

“year of assessment” in relation to a rating authority, means each period of twelve months commencing on the first day of April in any year during which the system of income rating is in force in the area of the authority.

Rating authority.

127. (1) An Instrument may provide that a Divisional Council or a District Council shall be the rating authority for its area, for the purposes of this Law.

(2) No authority other than a rating authority, shall have power to make or levy a rate in the area of a rating authority except—

(a) an authority in exercise of the powers conferred by section 89, 113 or 194 of this Law ; or

(b) an authority upon whom power is conferred by or under the provisions of any other enactment to levy a rate.

Kinds of rate.

128. Rates levied by a rating authority may be of three kinds namely—

(a) General rates ;

(b) Education rates ;

(c) Local rates.

General rates.

129. (1) Every rating authority shall in each financial year make and levy a general rate sufficient to provide for such part of the total estimated expenditure to be incurred by the authority during the period in respect of which the rate is made as the rating authority determines is to be met out of moneys raised by rates.

(2) For the purposes of this section “expenditure” shall not include amounts to meet liabilities falling to be discharged out of an education rate or a local rate, or to meet liabilities under a precept.

Education rates.

Law No. 6 of 1955.

130. In respect of expenditure under the Education Law, 1954, falling to be discharged by it, a rating authority shall in every financial year, make and levy an education rate sufficient to provide for such part of the estimated amount to be incurred, as the rating authority determines is to be met out of moneys raised by rates.

Local rates.

131. (1) For or towards defraying the expenses of executing any work or service or repaying any debt or loan raised in connection with the execution of any work or service where the work or service would in the opinion of the competent council be of particular benefit to a portion of its area, the rating authority may, in any financial year, make and levy a local rate.

(2) For the purposes of this section, the competent council, in relation to an area, shall mean the council having authority over the area upon which functions with respect to the work or service are conferred.

(3) Where the competent council is not the rating authority the rating authority shall not impose a local rate except in accordance with a precept issued by the competent council.

132. Where a supplementary estimate submitted by a rating authority has been approved by the Minister in accordance with section 121 in any year the rating authority may make and levy such general, education or local rates, as the case may be, (in addition to its annual general, education, or local rates) as are sufficient to provide for such part of the expenditure contained in the estimate as is to be met out of rates.

Rates in addition to the annual rates.

133. (1) A rating authority shall make and levy such rates as are sufficient to provide for such part of the expenditure necessary to satisfy a precept addressed to it by a precepting council as the rating authority determines is to be met out of rates.

Rates to meet precepts.

(2) Each rate to satisfy a precept shall be made separately and shall be a general rate, an education or a local rate according as the precept is for general purposes, education purposes or local purposes.

(3) A rate to satisfy a precept for general purposes or education purposes shall be made in respect of, and levied in, the area of the precepting council, or in the case of a precept by a Divisional council, in the part of the area of the council subject to the rating authority.

134. The estimated expenditure in respect of which a rate is raised may include such amount as is, in the opinion of the rating authority, required—

Estimated expenditure may include contingencies, etc.

(a) to cover expenditure previously incurred ;

(b) to meet contingencies ; and

(c) to defray any expenditure which may be met out of the same kind of rate and which may fall to be defrayed before the date on which the money to be received in respect of the next subsequent rate will become available.

135. For the purposes of this Law there shall be three systems of rating, namely—

Systems of rating.

(a) upon income, assessed in accordance with sections 138 to 153 ;

(b) upon tenements, assessed in accordance with sections 154 to 164 ;

(c) on a capitation basis, assessed in accordance with sections 165 and 166.

136. (1) For the purposes of levying each kind of rate to be imposed by it a rating authority may adopt any one or more of the systems specified in section 135.

Adoption of systems of rating.

(2) For levying one kind of rate different systems or combinations of systems may be adopted for different parts of the area of a rating authority.

137. (1) Subject to section 279, the adoption of a system of rating by a rating authority shall require a resolution of the authority.

Procedure for adoption of system of rating.

(2) Before the rating authority vote on the resolution at least sixty days notice shall be given at a meeting of the authority of the intention to move such a resolution and a copy of the proposed resolution shall be exhibited in a conspicuous place near the office of the authority.

(3) Wherever it is desired to substitute one system of rating for another, or to adopt a new system of rating, or to change the persons or classes of persons liable to a system of rating already adopted by the rating authority, the procedure prescribed in the foregoing provisions of this section shall be followed.

*Rates upon income*

Persons and income subject to income rate.

138. (1) A rate upon income may be imposed upon all African individuals resident, during the year of assessment for which the system is adopted, in the area subject to the rate or upon any class of such individuals.

(2) Subject to the provisions of sub-section (1) of this section, where a rating authority adopts the system of rating upon income, it shall specify the persons or classes of persons liable to that rate.

(3) Subject to the provisions of this Law, the rate shall be payable for each year of assessment upon the income of every person liable thereto, accruing in or derived from the Region in respect of—

(a) gains or profits from any trade, business, profession or vocation for whatever period of time such trade, business, profession or vocation may have been carried on or exercised ;

(b) the gains or profits from any employment or office ;

(c) dividends, investments or discounts ;

(d) any pension, charge or annuity ;

(e) rents, royalties, premiums and any other profit arising from Property.

Exemptions.

139. The Governor in Council may exempt—

(a) any person or class of persons ; or

(b) any class of income,

from liability for a rate charged under section 138 on any ground from which may appear to him sufficient.

Basis of assessment.

140. (1) Subject to the provisions of this section, the income of any person for each year of assessment shall be assessed at the full amount of the income of the year immediately preceding the year of assessment.

(2) Where a person commences to carry on a trade, business, profession or employment during a year of assessment, his income—

(a) for the first year of assessment shall be assessed at the full amount of income accruing therefrom in that year ; and

(b) for the second year of assessment shall be assessed at the full amount of income accruing therefrom in the period of twelve months from the commencement of that trade, business or profession.

Profession

full amount

(3) Where a person permanently ceases to carry on a trade, business, profession or employment his income shall be assessed—

(a) as regards the year of assessment in which the cessation occurs, at the amount of the income of that year ;

(b) as regards the year of assessment preceding that in which the cessation occurs, at the amount of the income of that year or the year before that year, whichever is greater.

141. For the purposes of ascertaining the income of any person from any source chargeable to a rate under section 138 there shall be deducted such outgoings and expenses and other sums incurred by that person in connection with the production of the income as may be prescribed by regulations made by the Minister. Deductions.

142. (1) Subject to the provisions of this section, a rate upon income shall be at a uniform amount per pound of the total income of each person subject to the rate. Scale of rates.

(2) A rate shall not be imposed upon any amount of the total income of a person that exceeds three hundred pounds.

143. (1) For each rating authority, in whose area the system of rating upon income is for the time being in force, there shall be such number of assessment committees as the rating authority may determine. Assessment committees.

(2) Where there is more than one assessment committee the area within which the assessment committees shall exercise authority shall be specified by the rating authority.

(3) The number of members of an assessment committee, their method of appointment or selection, and their term of office shall be such as shall be determined by the rating authority and approved by the Minister.

(4) The assessment committee shall appoint one of their number to be Chairman.

(5) For the avoidance of doubt it is hereby declared that an assessment committee is not a committee of the rating authority or any council.

(6) An assessment committee shall have a secretary and such other staff as the rating authority may consider necessary which shall be provided by the rating authority.

144. (1) Subject to the provisions of this Law, the Commissioner may give directions to an assessment committee with respect to the exercise of their powers of assessment under this Part and any committee to which such directions are given shall comply with the same. Powers of Commissioner.

(2) The Commissioner may vary any assessment made by any assessment committee, other than an assessment in respect of which an appeal is pending or has been determined.

(3) The Commissioner shall have the right to attend any meeting of an assessment committee during the transaction of business relating to assessments and to take part in the proceedings thereof and if he so requests his advice on any such matter shall be recorded in the minutes of the meeting, but he shall not be entitled to vote in such proceedings.

(4) The Commissioner shall at all reasonable times have access to and be entitled to inspect the books, accounts and records of a rating authority and an assessment committee with respect to the assessment of any rate imposed under this Law or any other enactment.

(5) A rating authority shall furnish the Commissioner with such returns and information as he may specify relating to the assessment of incomes for the purposes of rates imposed by it under this Law.

(6) (a) The Commissioner may by notice in the Gazette delegate to any person, by name or office, subject to any conditions exceptions and qualifications he may specify, the powers conferred by sub-sections (1) to (5) of this section.

(b) Any such delegation shall be revocable at will and no delegation shall prevent the exercise by the Commissioner of any power.

Information to be provided by rating authority and collectors.

145. (1) A rating authority shall furnish to each assessment committee for its area such information at its disposal as to the numbers and names of persons liable to a rate upon income for the time being within the area subject to the committee as the committee may require.

(2) A rate collector shall, if so required by the rating authority, furnish to the rating authority a nominal roll of persons liable to a rate upon income for the time being within the area in respect of which he is appointed.

Returns.

146. (1) Every person liable to pay a rate upon income for any year of assessment, if required to do so by notice in writing by the assessment committee or any person appointed by them in that behalf shall, within the period limited by such notice, prepare and deliver to the assessment committee or to such person a true and correct statement in writing containing—

(a) the amount of his income from each and every source in such period or periods as are indicated in such notice, computed in accordance with the provisions of this Part ; and

(b) such particulars as by such notice may be required for the purposes of this Part.

(2) Such statement shall be signed by the person to whose income it relates or by his executor and shall include a declaration that it contains the true and correct statement of his income and of such particulars.

Further returns.

147. The assessment committee or any person appointed by them in that behalf may give notice in writing to any person liable to a rate upon his income when and as often as they think necessary requiring him to furnish within a reasonable time limited by such

notice fuller or further returns respecting any matter as to which a return is required or prescribed by this Part or any regulations made under this Part.

148. For the purpose of obtaining full information in respect of the income of any person liable to a rate upon income the assessment committee may give notice to such person requiring him within the time limited by such notice to complete and deliver to the assessment committee any return specified in such notice and in addition or alternatively requiring him to attend personally before them and to produce for examination any books, documents, accounts and returns which the assessment committee may deem necessary.

Power to call for books and documents.

149. (1) If a person who is liable to pay a rate upon income fails or refuses to keep books or accounts which, in the opinion of the assessment committee, are adequate for the purposes of a rate upon income, the assessment committee may by notice in writing require him to keep such records, books and accounts as the assessment committee consider to be adequate, in such form and in such language as they may in the said notice direct, and, subject to the provisions of sub-section (2) of this section, the person shall keep records, books and accounts as directed.

Books of account.

(2) An appeal shall lie from any direction of the assessment committee made under this section to a Magistrate.

(3) On hearing such appeal the Magistrate may confirm or modify such direction and any decision of such Magistrate shall be final.

150. (1) Every employer when required to do so by notice from the assessment committee shall, within the time limited by the notice, prepare and deliver returns containing—

Information by employers and other persons.

(a) the names and places of residence of all persons liable to a rate upon income employed by him ; and

(b) the full amount of remuneration, whether in cash or otherwise, paid or payable to those persons in respect of that employment.

(2) Where the employer is a company or a body of persons the manager or other principal officer shall be deemed to be the employer for the purposes of this section and any director of a company or person engaged in the management of a company shall be deemed to be a person employed.

(3) Every person, other than a company engaged in the business of banking or a person who is under a statutory obligation of secrecy, who may be so required by the assessment committee shall give orally or in writing, as may be required, all such information as may be demanded—

(a) by the assessment committee for the purpose of enabling the committee to make an assessment ;

(b) by a rate collector for the purpose of preparing a nominal roll under sub-section (2) of section 145.

Assessment  
of income  
rate.

151. (1) The assessment committee shall assess every person liable to pay the rate.

(2) Every male person of or above the age of sixteen years liable to a rate upon income shall, if he is not assessed by the assessment committee at a greater sum, be deemed to be in receipt of a total income of fifty pounds and shall be assessed accordingly.

(3) In respect of the gains or profits accruing to any person in any year of assessment from the cultivation or use of land or from the ownership of livestock an assessment committee may, unless it is satisfied to the contrary, determine as the amount of income the gains or profits which would accrue to that person in that year of assessment if the land were cultivated or used or the livestock were possessed and dealt with in the manner and up to the average standard of cultivation, use or practice relating to the same prevailing in the neighbourhood.

(4) In respect of the gains or profits accruing to any person in any year of assessment from any trade or craft an assessment committee may, unless it is satisfied to the contrary, determine as the amount of income the gains or profits which would accrue to that person in that year of assessment if he carried on his trade or craft in the manner and up to the average standard relating to the same prevailing in the neighbourhood.

(5) Subject to the foregoing provisions of this section—

(a) where a person has delivered a return the assessment committee may—

(i) accept the return and make an assessment accordingly ;

(ii) refuse to accept the return and to the best of their judgment assess the amount of his total income ;

(b) in all other cases the assessment committee shall determine the amount of the total income of the person liable according to the best of their judgment.

Notification  
of assess-  
ment.

152. Where an assessment has been made by the assessment committee they shall make known, in such manner as they shall think fit, to all persons concerned the amount of income at which such persons have been assessed and the amount payable in accordance with the rate for the time being in force.

Additional  
assessment.

153. (1) If the assessment committee discover or reasonably believes at any time that any person rateable upon his income has not been assessed or has been assessed at a less amount than that which he ought to have been assessed, the assessment committee may either in the year of assessment or at any time, and as often as may be necessary, assess such person at such amount or additional amount as, according to their judgment, ought to have been assessed.

(2) The provisions of this Part as to notice of assessment, appeals and other proceedings under this Part shall apply to an assessment or additional assessment made under the provisions of this section.

*Rates upon Tenements*

154. (1) Subject to the provisions of this Law, the Minister may by order make provision for the method of assessment of tenements.

Minister may make order as to method of assessment.

(2) An order made under this section may provide for—

- (a) the assessment of tenements generally ; or
- (b) the assessment of any particular class of tenements ; or
- (c) the method of assessment of any such tenements in any area specified in the order.

155. Where a rate on tenements is to be imposed by a rating authority the Minister shall appoint persons to be appraisers for the purposes of this Law.

Minister to appoint appraisers.

156. (1) A rate upon tenements, other than tenements required by section 157 to be assessed at their depreciated capital value, shall be at a uniform rate per pound of the assessed value of each of the tenements in the area subject to the rate.

Calculation of rate.

(2) A rate upon tenements required by section 157 to be assessed at their depreciated capital value shall, for each of such tenements in the area subject to the rate, be the amount represented by five *per centum* of the value so assessed multiplied by the uniform rate per pound referred to in sub-section (1) of this section.

157. (1) Assessment in respect of tenements occupied by a public utility corporation, other than tenements used as dwelling-houses, shall be of the depreciated capital value of such tenements assessed as provided for in sub-sections (2) and (3) of this section.

Assessment of public utility corporations.

(2) The depreciated capital value of a tenement shall be the amount which it is assessed the replacement of the tenement would cost at the prices ruling at the time of assessment depreciated according to the age, obsolescence and structural condition of the buildings upon the tenement at that time.

(3) In assessing depreciated capital value no account shall be taken of the value of—

- (a) any machinery in or upon the tenements ;
- (b) any wharf or pier, or pontoon used as a wharf or pier ;
- (c) any railway track :

Provided that in assessing the value of any building in which a portion of such track is situate the area of land on which such track is situate shall be included in the assessment of the value of such building ;

(d) any fencing, earthworks, bridges, signal boxes and other signal apparatus, or water towers and equipment of a like nature relating to any railway tracks ;

(e) any railway station platform, together with any roof or canopy thereto, but subject to paragraph (d) of this sub-section, not including any building erected upon such platform.

(4) In this section—

“dwelling-house” means a hereditament used wholly or mainly for the purposes of a private dwelling or private dwellings, with or without any garage, outhouse, garden, compound, yard, court, forecourt or other appurtenances ;

“public utility corporation” means the Electricity Corporation of Nigeria established in pursuance of the Electricity Corporation of Nigeria Ordinance, 1950, the Nigerian Ports Authority established in pursuance of the Ports Ordinance, 1954, the Nigerian Railway Corporation established in pursuance of the Nigerian Railway Corporation Ordinance, 1955, and any other body that the Governor may by notification in the Gazette declare to be a public utility corporation for the purposes of this Law.

Exemptions.

158. The following tenements shall be exempt from assessment and rating under this Law—

- (a) all lands and buildings appropriated exclusively for the purposes of public worship ;
- (b) cemeteries and burial grounds ;
- (c) charitable institutions and educational institutions certified by the Minister of Education to be non-profit making ;
- (d) any tenements specifically exempted by the Governor-in-Council by notice in the Gazette.

First  
general  
assessment.

159. (1) As soon as may be after a rating authority has adopted a system of rating upon tenements, the authority shall cause the value of every tenement subject to rate in the area concerned to be ascertained and assessed by an appraiser, and such assessment shall be known as the first general assessment.

(2) Not less than once in every five years after the completion of a first general assessment, or such longer period as the Minister may approve, the rating authority shall cause a new general assessment to be made, in the manner provided by sub-section (1) of this section, of every tenement subject to rate in the area subject to the rate.

Annual  
assessment.

160. In every year, in which there is no general assessment the rating authority shall, in the month of June, or as soon as conveniently may be thereafter, cause the value of any tenements—

- (a) which being rateable require re-assessment because, whether by building, destruction of building, or other alteration in structural condition, their assessed value has been increased or reduced ; or
- (b) which being rateable or about to become rateable have not been assessed ; or
- (c) in respect of which any person claiming to be the owner thereof shall have delivered to the rating authority a written request for re-assessment on or before the first day of the preceding April, to be ascertained and assessed.

**161.** (1) As soon as a first or any subsequent general assessment shall have been completed, the rating authority shall cause a list of the several tenements assessed and of their respective valuations to be made out and signed by the appraiser or appraisers.

Preparation of valuation list.

(2) A rating authority shall also in every year in which there shall be no general assessment cause a list of the assessments and re-assessments made during that year and of their respective valuations to be made out and signed by the appraiser or appraisers.

**162.** A rating authority, on completion of the preparation of a valuation list or an amendment to a valuation list, shall—

Publication of valuation list.

(a) give notice of the fact that a valuation list or an amendment to a valuation list has been prepared and as to the place at which it may be inspected ; and shall make available the list, or where applicable, the amendment thereto, for inspection at the place mentioned during ordinary office hours ;

(b) serve upon the owner of each tenement contained in the valuation list or the amendment to the valuation list, as the case may be, a notice showing the assessed value thereof.

**163.** (1) Subject to any alteration which may be made on order of the appeal tribunal or a magistrate's court—

Period during which valuation list in force.

(a) a valuation list prepared on a general assessment shall, for the purpose of any rate to be levied in respect of the tenements assessed, be the valuation list for the year in which the same is published and for the next following year ;

(b) in any other year the valuation list as amended by any amending list in force at the commencement of the year shall, for the purposes of any rate to be levied in respect of the tenements assessed, be the valuation list.

(2) An amending list published in accordance with sub-section (2) of section 161 shall come into force at the commencement of the year following the year in which it is published.

**164.** An appraiser may—

Powers of appraisers.

(a) require any person to give all such information orally or in writing as he may require which may affect the assessed value of a tenement ;

(b) call upon any person liable to pay a rate upon tenements to exhibit to him any accounts, receipts for rent, rent books, or other documents required in connection with the valuation of a tenement ;

(c) on any day except a Sunday or a public holiday, between the hours of seven o'clock in the morning and six o'clock in the afternoon, enter into and upon any tenement for the purpose of making a valuation thereof, and take such measurements and other particulars as he may deem necessary for the purpose ;

(d) call upon the occupier of any tenement for his name, and, if the occupier is not the owner, the name and address of the owner of the tenement ;

(e) require the owner or occupier of any tenement actually rented to make a declaration in writing as to the yearly rent paid or payable for the same ;

(f) require the owner or occupier of any tenement to inform him as to the boundaries of the tenement.

#### *Rates on a Capitation Basis*

Persons  
liable to  
rates on  
capitation  
basis.

165. (1) A rate on a capitation basis may be imposed in each year for which the system is adopted upon all African individuals resident in the area subject to the rate of or above the age of sixteen years or upon any class of such individuals.

(2) Subject to the provisions of sub-section (1) of this section, where a rating authority adopts a system of rating on a capitation basis, it shall specify the persons or classes of persons liable to that rate.

(3) The Governor in Council may exempt any person or class of persons from liability for a rate imposed under this section.

Rolls of  
ratepayers.

166. (1) For any area in respect of which a system of rating on a capitation basis is adopted, the rating authority shall prepare, maintain and make available for inspection a roll of the persons liable to pay the rate.

(2) A rating authority shall in each year of assessment give notice in the area affected of the place where the roll for the time being in force may be inspected.

#### *Appeals*

Assessment  
appeal  
tribunal.

167. (1) The Minister may establish assessment appeal tribunals which shall have jurisdiction to hear and determine appeals in accordance with this Part in respect of such rating authorities as he may specify.

(2) An assessment appeal tribunal shall consist of a person or persons appointed by the Minister for such periods as he shall think fit.

(3) An assessment appeal tribunal shall appoint one of their number to be chairman.

Appeals.

168. (1) Any person aggrieved with an assessment of his income for rating purposes may appeal against the assessment to the appropriate appeal tribunal.

(2) The owner of a tenement aggrieved by the valuation of the tenement as appearing in the valuation list may appeal against the valuation to the appropriate appeal tribunal.

(3) Any person whose name appears on a roll of persons liable to pay a rate on a capitation basis prepared in accordance with section 166 may appeal to the appropriate appeal tribunal on the ground that he is not liable to pay the rate.

(4) In this section "appropriate appeal tribunal" means the appeal tribunal in respect of the rating authority by which the rate is imposed or to be imposed.

**169.** (1) No appeal for which provision is made in section 168 shall lie unless, within the time allowed for an appeal—

Conditions of appeals.

(a) notice is given in the prescribed manner to the rating authority ; and

(b) any fee prescribed is paid ; and

(c) in the case of an income rate, the amount of any rate due is deposited with the rating authority.

(2) The time allowed for an appeal shall be—

(a) in the case of an assessment of an income rate, thirty days from the publication of the assessment in accordance with section 152 ;

(b) in the case of an assessment of a rate upon a tenement, thirty days from the publication of the valuation list or the amendment to the list, as the case may be, in accordance with section 162 ;

(c) in the case of an appeal under sub-section (3) of section 168, within thirty days of the publication of notice that the roll may be inspected.

**170.** The onus of proving that an assessment of income or a valuation of a tenement is excessive shall be on the appellant.

Onus of proof.

**171.** (1) An assessment appeal tribunal may—

Decision of appeal tribunal.

(a) confirm, reduce, increase or annul the assessment or valuation ; or

(b) in the case of an appeal under sub-section (3) of section 168, confirm the entry of the name of the appellant on the roll or direct its removal.

**172.** An assessment appeal tribunal may—

Powers of appeal tribunal.

(a) by summons, require the attendance of any person and may examine him for the purpose of any appeal before them and may require answers to any questions which they may think fit to put concerning the matter before them ;

(b) require and enforce the production of all books, papers and documents which they may consider necessary ;

(c) administer oaths and affirmations.

**173.** (1) In the case of an appeal against an assessment upon income the assessment committee concerned may be represented before the assessment appeal tribunal by any of its members or its secretary or by a legal practitioner.

Representation of assessment committee and rating authority.

(2) In the case of an appeal against a valuation of a tenement the rating authority may be represented by an appraiser, or any other person appointed by it in writing, or a legal practitioner.

**174.** (1) An appeal against the decision of an assessment appeal tribunal shall lie to a magistrates court—

Further appeal to Magistrates Court.

(a) at the instance of the appellant ;

(b) at the instance of the assessment committee or the rating authority, as the case may be, where the decision of the appeal tribunal is in respect of a matter in which the assessment committee or the appraiser claims that the correct assessment or valuation was in the sum of ten pounds or upwards.

(2) The provisions of section 171 shall apply in relation to a magistrate's court as they apply in relation to an assessment appeal tribunal.

(3) The costs of appeal shall be in the discretion of the court and shall be a sum fixed by the court.

(4) The Chief Justice of the Region may make rules providing for the practice and procedure of magistrates courts on appeals under this section.

#### *Making and Collection of Rates*

Making and publication of rate.

175. (1) A rate shall be made by resolution of the rating authority.

(2) Notice shall be given by a rating authority of every rate made by it and of the day on which such rate shall become due and payable.

(3) Notice may be given either by affixing a copy of the resolution or a notice in such public or conspicuous places or situations within the area of the rating authority as it deems necessary, or by publishing a copy of the resolution or a notice in one or more newspapers circulating in the area of the rating authority.

(4) Different methods of publication may be used as respects different parts of the area of the rating authority.

Surcharges.

176. (1) Where notice has been given of the making of a rate, it shall be the duty of every person liable to the rate to pay the amount due to a rate collector authorised to receive the same not later than the date specified in the notice :

Provided that in the case of a rate upon income assessed after the date specified in the notice the amount shall become due and payable on the date when notice of assessment is given to the person liable in accordance with section 152.

(2) If any rate remains unpaid for three months from the date upon which it became due and payable a surcharge, calculated from the day following the expiration of such three months, shall be charged and recovered by the rating authority at the rate of ten per cent for each month for which the rate remains unpaid, and for the purposes of this section part of a month shall be deemed to be a month.

Liability for rates on tenements.

177. (1) In the case of a rate upon tenements, the owner of the tenement on the date before the rate becomes due and payable shall be primarily liable.

(2) If on the expiration of three months from the date on which a rate became due and payable the owner primarily liable has failed to pay the rate, any person who at any time in the year of assessment in respect of which the rate is due—

(a) becomes the subsequent owner of the tenement, shall be liable for the rate for that year ;

(b) is or was the occupier of the tenement, shall be liable for the rate for that year up to the amount of the rent due by him but not paid ;

(c) as agent or otherwise receives the rent in respect of the tenement, shall be liable for the rate for that year to the extent of the amount of the rent paid or payable to him for that year in respect of the tenement, subject to deduction by the agent of commission due to him for the collection thereof.

(3) The persons referred to in sub-section (2) of this section shall be liable for the rates jointly and severally with each other and the owner primarily liable.

(4) No legal proceedings shall be instituted against any person referred to in sub-section (2) of this section unless a demand in writing shall have been served upon him requiring him to pay the amount stated therein.

(5) Any person referred to in sub-section (2) of this section who has paid any rate may recover the amount paid by him from the owner primarily liable.

(6) Every rate made and levied upon a tenement shall, except in the case of tenements vested in the Crown or a council, be a charge against the tenement rated.

178. (1) A rating authority may appoint persons to be rate collectors either generally or with respect to any part of its area that it may specify. Rate collectors.

(2) No person other than—

(a) an employee of a rating authority or of a council that may precept upon the rating authority ; or

(b) the holder of a traditional office in receipt of remuneration from the rating authority or a council that may precept upon the rating authority,

shall be appointed a rate collector without his consent.

(3) It shall be the duty of a rate collector—

(a) to collect and receive from each person liable for the payment of rates in the area to which he has been appointed the rates (including any surcharge) payable by each such person ;

(b) to pay all amounts collected to the rating authority ;

(c) to make such returns and furnish such information to the rating authority with respect to the rates which he is required to collect as it may require ;

(d) generally to comply with the directions of the rating authority in the performance of the duties imposed on him by this Part.

179. (1) The claim for the amount of any rate payable under the provisions of this Law shall be prior to all other claims against the person liable to pay the same, except claims by the Crown. Claim for amount of rate.

(2) If any person fails to pay any rate for which he is liable by the date on which it is payable the rating authority may recover the same as a civil debt together with any surcharge due and with costs.

Remissions.

180. A rating authority may, with the prior approval of the Minister—

- (a) remit or reduce the rate payable by any person on the ground of his poverty ;
- (b) for the like reason, refund a rate paid or any part thereof.

Legal proceedings.

181. Proceedings to enforce the payment of a rate payable under the provisions of this Part may be taken by the rating authority or by a rate collector authorised by it in that behalf in any court of competent jurisdiction.

Customary courts to have jurisdiction.

182. Subject to the provisions of the Customary Courts Law, 1957, a customary court shall have jurisdiction within the local limits of its jurisdiction, in proceedings for the recovery of rates under the provisions of section 179.

#### *Regulations*

Power to make regulations.

183. Subject to the provisions of this Law, the Minister may by regulation make provision for any of the following matters—

- (a) the proceedings of assessment committees and assessment appeal tribunals ;
- (b) the procedure of assessment committees on the hearing of evidence relating to assessments ;
- (c) the procedure of assessment appeal tribunals on the hearing of appeals ;
- (d) the remuneration of members of assessment committees and assessment appeal tribunals ;
- (e) the form of returns, claims, statements and notices under this Part ;
- (f) the form of valuation lists ;
- (g) the form of books of account and other records to be kept for the purposes of this Part ;
- (h) the fees to be paid in respect of appeals under this Part ;
- (i) any other matter that he is authorised by this Part to prescribe by regulations.

#### PART XV.—PRECEPTS

Precepting councils.

184. (1) A council that is not a rating authority (in this Part referred to as a precepting council) may issue precepts to the competent rating authority.

(2) Precepts shall be of the following kinds—

- (a) precepts for general purposes, to meet such part of the expenditure of the council during the period in respect of which

the precept is issued as is to be met out of moneys raised by rates, other than expenditure under the Education Law, 1954, or expenditure falling to be discharged out of a local rate ;

(b) precepts for education purposes, to meet such part of the expenditure of the council under the Education Law, 1954, during the period in respect of which the precept is issued as is to be met out of moneys raised by rates ;

Law No. 6  
of 1955.

(c) precepts for local purposes, to meet expenditure falling to be discharged out of a local rate.

(3) The issue of precept shall require a resolution of the precepting council.

(4) For the purposes of this section "competent rating authority" means, in relation to a precepting council, the rating authority or authorities to whom a precept may be issued in accordance with the provisions of sections 185, 186 and 187.

185. Where a precepting council is a Divisional council the following provisions shall apply—

Precepts by  
Divisional  
Councils.

(a) a precept issued for the purpose of meeting liabilities in respect of expenditure for which the whole area of its authority is liable shall be addressed to all the rating authorities situate in the area of the authority of the council ;

(b) a precept issued for the purpose of meeting liabilities in respect of expenditure for which part only of the area of its authority is liable shall be addressed to such rating authorities as are situate within the area chargeable with such expenditure ;

(c) a precept shall be expressed as a lump sum and shall be satisfied by the rating authority to which it is addressed ;

(d) where a council issues a precept to more than one rating authority under the provisions of this section, the sum required from a rating authority shall bear to the total sum required by the council the same proportion as the aggregate amount of the value of the incomes and property assessed to rates within the area of the rating authority, as determined by the Minister, bears to the aggregate amount of the value of the incomes and property assessed to rates within the area of authority of the council, as determined by the Minister :

Provided that the Minister may, in any particular case, direct that a council may issue precepts to rating authorities under which the total sum required is to be met by such rating authorities in such proportion as may be specified in the direction instead of in the proportions specified in this paragraph.

186. Where a precepting council is a District Council the following provisions shall apply—

Precepts by  
District  
Councils.

(a) a precept shall be addressed to the Divisional council within whose area of authority it is situated ;

(b) a precept shall be expressed as the rate to be levied on behalf of such council and shall be satisfied by the Divisional council to which it is addressed.

Precepts by  
Local  
Councils.

187. Where a precepting council is a Local council the following provisions shall apply—

(a) a precept shall be addressed to the rating authority within whose area it is situated :

(b) a precept shall not require the rating authority to make and levy in any one year rates (whether general, education or local) to meet precepts of the council which are, in the aggregate, in excess of—

(i) where the rates are imposed upon property, ten *per centum* of the annual value of any rateable tenement ;

(ii) where the rates are imposed upon income, six pence in the pound of a rateable income ; or

(iii) where the rates are imposed on a capitation basis, a capitation rate of forty shillings per person.

Matter to be  
contained in  
precepts.

188. (1) A precept shall state—

(a) the purposes, whether general, education or local, for which it is issued ;

(b) in the case of a local rate, the area in which it is to be levied ;

(c) the date or dates on or before which payment is required to be made ;

(d) the particulars required to be stated by sections 185, 186 or 187.

(2) A council shall give such other information as is reasonably necessary to enable the rating authority to satisfy such precept and to ascertain if the precept shall be satisfied by a general rate, by an education rate, or by a local rate.

Time of  
service of  
precept.

189. (1) A precept issued by a precepting council to meet expenditure included in the annual estimate of the council shall be served on the rating authority concerned before the first day of December in the year preceding the financial year in which the demand is to be satisfied, or before such other date as the Minister may direct.

(2) A precept issued by a precepting council to meet expenditure included in a supplementary estimate approved in accordance with section 121, shall be served on the rating authority before such date as the Minister may direct.

Rating  
authority to  
furnish  
information  
to councils  
concerned.

190. It shall be the duty of a rating authority to furnish to every council concerned such information as may be required by the council in order to enable it to issue precepts upon such rating authority.

Amount due  
under  
precept.

191. For the purposes of estimating and ascertaining the amount due under a precept the cost of collection and losses in collection shall not be taken into account.

192. Where the amount due under a precept or any part of that amount is not paid on or before the date specified in the precept for payment, the council by which the precept was issued may, if it thinks fit, require the rating authority to pay interest at five per centum per annum on that amount or part of that amount, and any interest so payable shall be paid by the rating authority to the council by which the precept was issued in like manner as if it were due under the precept.

Interest on unsatisfied precepts.

193. (1) Upon an application being made to him by a rating authority to whom a precept has been addressed by a precepting council under the provisions of this Part, the Minister may direct—

Minister may vary precept.

(a) that the precept shall not be satisfied ; or

(b) that the precept be reduced ; or

(c) that a precept for some other amount or at some other rate shall issue in its stead.

(2) An application by a rating authority under this section shall not be made after the expiration of two months from the date of the receipt by the rating authority of the precept which is complained of.

(3) Before giving a direction under this section the Minister shall give the rating authority and the precepting council an opportunity of being heard.

(4) Upon a direction being made under this section the amount due under the precept shall, for all the purposes of this Law, be the amount stated in such direction.

194. (1) Where the Minister is satisfied that a rating authority has refused or through wilful neglect or wilful default has failed to pay the amount lawfully due under a precept issued by a precepting council, and application has been made to him by the precepting council for the enforcement of the precept, the Minister may appoint a receiver.

Power for securing payment of precepts.

(2) A receiver appointed under the provisions of this section shall, by the exercise of the powers conferred by sub-section (3) of this section, raise sufficient money to pay the amount which is in default and all sums due while he is a receiver in respect of such precepts, together with all costs, charges and expenses incurred in or about the appointment of such receiver and the execution of his duties under this section, including a proper remuneration for his services, and shall render to the defaulting rating authority the balance if any remaining in his hands after making the said payments.

(3) The receiver may—

(a) make and levy any rate for the purpose of meeting the precept which the defaulting rating authority could have made or levied ;

(b) have access to and use such documents of the defaulting authority as he may require ;

(c) receive the rents and profits of the property of the defaulting authority and, with the approval of the Minister, sell any property of the defaulting authority in such manner and subject to such conditions of sale and otherwise as the Minister may direct ;

(d) take into his possession and control any property of the defaulting authority ;

(e) with the approval of the Minister, draw and endorse any cheque on behalf of the authority ; and

(f) do all such acts and execute such documents in the name of the authority as are necessary for the purposes of this section.

(4) The Minister may remove a receiver appointed under this section and appoint another in his stead from time to time ; and may make such orders and give such directions as to the exercise of the powers and duties of the receiver and as to the disposal of the money received by him as may be thought fit for carrying this section into effect.

#### PART XVI.—AUDIT

Accounts to be audited.

195. (1) The accounts kept by a council in accordance with the requirements of this Law or any other enactment shall be subject to audit by an auditor appointed in respect of the council under the provisions of this Part.

(2) Such accounts shall be audited at such intervals as the Minister may direct.

(3) A council shall—

(a) make available at all times the accounts subject to audit, together with all books, papers, vouchers, cash and moneys relating thereto, for inspection by the auditor appointed in respect of the council ;

(b) prepare and submit to such auditor statements or abstracts containing such particulars and relating to such periods as the Minister may specify.

(4) The Minister may exempt a Local council from all or any of the requirements of this section.

Appointment of auditors.

196. (1) The Minister may appoint a person to be an auditor in respect of a council, and may remove any person so appointed.

(2) Without prejudice to the generality of the power conferred by sub-section (1) of this section, a person who is—

(a) a Local Government Inspector or a Local Government Adviser ; or

(b) an Assistant Local Government Adviser ; or

(c) a member of the staff of the Ministry of Local Government, may be appointed an auditor in respect of a council.

Liability for payment of remuneration of auditors.

197. Payment shall be made by a council in respect of the remuneration and expenses of any auditor appointed under this Law, including the staff of such auditor, to such amount as the Minister shall determine.

Powers and duties of auditor.

198. It shall be the duty of an auditor at every audit held by him—

(a) to disallow any item of account which is contrary to law or Financial Memoranda issued under section 119, or is unsupported by proper records or accounts, or which he considers unreasonable ;

(b) to surcharge the amount of any expenditure disallowed upon the person responsible for incurring or authorising the expenditure ;

(c) to surcharge any sum which has not been duly brought into account upon the person by whom that sum ought to have been brought into account ;

(d) to surcharge the amount of any loss or deficiency upon any person by whose negligence or misconduct the loss or deficiency has been incurred ;

(e) to certify the amount due from any person upon whom he has made a surcharge ; and

(f) to certify, at the conclusion of the audit, his allowance of the accounts subject to any disallowances or surcharges which he may have made :

Provided that no expenses incurred by a council shall be disallowed by the auditor, if they have been sanctioned by the Governor in Council or the Minister.

199. Notwithstanding any of the provisions of the last preceding section, no liability to surcharge shall be incurred by an employee of the council who can prove to the satisfaction of the auditor that he acted in pursuance of, and in accordance with, the terms of a resolution of the council or of a committee duly appointed by the council, or on the written instructions of any employee of the council to whose orders, in relation to the matter in question, he was subject. Special relief.

200. For the purpose of any examination under the provisions of this Part, the auditor may take evidence and examine witnesses, upon oath or affirmation (which oath or affirmation the auditor is hereby empowered to administer), and may, by summons under his hand, require all such persons, as he may think fit, to appear personally before him at a time and place to be stated in such summons and to produce all such books and papers, including the minutes of the proceedings of the council or of any committee thereof, as he may consider necessary for such examination. Auditor may take evidence.

201. Every sum certified by the auditor to be due from any person shall be paid by that person to the treasury of the council concerned within sixty days after it has been so certified or, if an appeal with respect to that sum has been made, within thirty days after the appeal is finally disposed of or abandoned or fails by reason of the non-prosecution thereof. Payment of sums due.

202. (1) Any sum which is certified by the auditor to be due and has become payable shall, on complaint made or action taken by or under the direction of the Minister, be recoverable as a civil debt. Recovery.

(2) In any proceedings for the recovery of such a sum, a certificate signed by the auditor shall be conclusive evidence of the facts certified, and a certificate signed by the chairman of the council concerned or any employee whose duty it is to keep the accounts that the sum certified

to be due has not been paid to him shall be conclusive evidence of non-payment, unless it is proved that the sum certified to be due has been paid since the date of the certificate.

(3) Unless the contrary is proved, a certificate purporting to be signed by the auditor, or by the chairman of the council or the employee whose duty it is to keep the accounts, shall be deemed to have been signed by such auditor, chairman or employee as the case may be.

Appeals.

203. (1) Any person who is aggrieved by a decision of the auditor on any matter with respect to which he made an objection at the audit, and any person aggrieved by a disallowance or surcharge made by the auditor may, where the disallowance or surcharge or other decision relates to an amount not exceeding two hundred pounds, appeal to the Minister, and may in any other case appeal to the High Court.

(2) The High Court or the Minister on such appeal shall have power to confirm, vary or quash the decision of the auditor, and to remit the case to the auditor with such directions as the High Court or the Minister thinks fit for giving effect to the decision on appeal.

(3) Where an appeal is made to the Minister under this section, he may at any stage of the proceedings state in the form of a special case for the opinion of the High Court any question of law arising in the course of the appeal, but save as aforesaid the decision of the Minister shall be final.

Annual statements of account.

204. Every council shall render to the Minister an annual financial statement, duly certified by the auditor, in such form as the Minister may direct and, unless the Minister shall otherwise direct, shall before the first day of September in each year publish the same at its own offices, and in any other manner customary in the area.

#### PART XVII—PRISONS

Council may by order constitute a prison.

205. (1) A council, with the approval of the Governor in Council, may by order declare any building within the area of its jurisdiction to be a prison under this Law and by the same or any subsequent order declare the district or place for which any such building shall be used for the purposes of a prison and may likewise order that any building declared a prison under this Law shall cease to be a prison.

Extent of prison.

(2) Every prison shall include the grounds and buildings within the prison enclosure.

Who may be confined in a prison.

206. Any prisoner may be confined in a prison constituted under this Law who—

(a) is awaiting trial before any customary court or who has been convicted by such court ;

(b) has been committed to custody by the High Court or any magistrate's court, when the Governor-General or the Governor in council, in exercise of the powers conferred upon him by section 26 of the Prisons Ordinance, has so ordered.

207. A council, with the approval of the Local Government Adviser, may within the area of jurisdiction of the council declare any building, part of a building, or collection of buildings together with the enclosure, if any, relating thereto to be a lock-up and such declaration shall be made known within the area of the council in such manner as is customary.

Council may by order constitute a lock-up.

208. Subject to such regulations as may be made by the Governor in Council under section 216, a prisoner who is awaiting trial or who has been convicted or who has been adjudged a debtor, may be detained in a lock-up for a period not exceeding fourteen days.

Period of detention in a lock-up.

209. (1) The council shall appoint—

(a) for each prison a head warder, a prison clerk and such number of warders and wardresses as shall be necessary for the proper administration of the prison ; and

Prison and lock-up officers.

(b) for each lock-up such officers as may be necessary.

(2) One person may be appointed both head warder and prison clerk.

210. (1) The Director of Prisons shall have the general superintendence of prisons established under this Law, shall advise the councils thereon, and shall submit to the Regional Minister responsible for prisons an annual report on the administration of the prisons and such other reports as the Regional Minister or the Director of Prisons may consider necessary.

Superintendence and visitation of prisoners.

(2) The Chief Justice, members of the Executive Council, Judges of the High Court, the Commissioner of Police in the Western Region, and officers of or above the rank of field officer in the Nigeria Military Force, Royal West African Frontier Force, shall *ex officio* be visitors of all prisons established under this Part.

(3) In addition to the *ex officio* visitors hereinbefore mentioned a magistrate shall be an *ex officio* visitor in respect of each prison within the district in which he is officiating as a magistrate and there shall also be appointed by the Local Government Adviser not less than five other persons to be visitors in respect of any or all such prisons within the area for which he is appointed.

(4) The Local Government Adviser shall appoint one or more of such visitors to be a visiting committee for each prison, but the appointment of such committee shall not interfere with the general right of visitation on the part of the visitors.

(5) For the purposes of this section the expression "prison" includes a lock-up.

(6) The provisions of this section with respect to any power or duty conferred or imposed on the Director of Prisons, the Commissioner of Police or the officers of the Nigeria Military Forces shall not have effect until the Governor-General has, by notice in the Gazette of the Federation, consented to the conferment or imposition of that power or duty.

Prisoners in legal custody of head warder. 211. Subject to such regulations as may be made by the Governor in Council under section 216 relating to prisoners under sentence of death, every prisoner shall be deemed to be in the custody of the head warder.

Provisions in the case of lunacy of prisoners. 212. (1) The head warder shall report to the council and also to a medical officer or to an Assistant Local Government Adviser any prisoner who appears to be of unsound mind. If the prisoner shall be certified by a medical officer to be of unsound mind, the Local Government Adviser after consultation with the council constituted for the area within which the prison is situated, shall by order in writing under his hand authorise the removal of the prisoner to a lunatic asylum to which the Lunacy Ordinance applies and which may have been appointed by the Governor for that purpose.

Cap. 121.

(2) Any prisoner removed as aforesaid shall remain in such asylum until the term of imprisonment to which he is subject determines or until it shall be certified by a medical officer that he has become of sound mind in which latter case he shall by order of the Local Government Adviser be redelivered into the custody of the aforesaid head warder.

Cap. 121.

(3) Where a prisoner has been removed to a lunatic asylum in accordance with the provisions of sub-section (1) of this section and it has been certified by a medical officer that he has become of unsound mind and his term of imprisonment is about to determine, it shall be the duty of the head warder to give information on oath to a magistrate as in the terms of Form B in the Schedule to the Lunacy Ordinance for the purpose of the adjudication of such person as a lunatic as from the date of the determination of his sentence.

Cap. 43.

(4) The provisions of this section shall not apply to persons of unsound mind to whom the provisions of Part XXV of the Criminal Procedure Ordinance apply.

Prisoners to be brought before a court.

Cap. 177.

213. (1) The head warder, upon receiving the order of a court directing him to bring up a prisoner before the court at the time and place stated therein, shall obey such order and may, for the purpose of carrying out such order, cause the prisoner to be removed to another prison established under this Law or under the Prisons Ordinance.

(2) If the prisoner shall be remanded, committed for trial, imprisoned, or detained by such court, he shall be so dealt with either in the prison whence he came, or in such other prison as such court may direct.

Removal of prisoners in other cases.

214. A Local Government Adviser or any officer who may have been authorised in that behalf by a Local Government Adviser may order any person imprisoned under the sentence of any court for an offence committed by him to be removed from the prison in which he is confined to any other prison within the meaning of this Law, and whenever any prisoner is removed to any other prison than that named in the warrant or order under which he may have been imprisoned, the said warrant or order, together with an order of removal, either

endorsed on the warrant or order, or separate therefrom, shall be sufficient authority for the removal of such prisoner to the prison named in the order of removal, and his detention therein, and for carrying out the sentence described in the warrant or order of imprisonment, or any part thereof which may remain unexecuted :

Provided that where a prisoner who has been committed to custody by the High Court or a magistrate's court and is confined in a prison authorised by the Governor-General or the Governor by Order in Council made under section 26 of the Prisons Ordinance as being a prison in which persons so committed to custody may be detained, such prisoner shall not be transferred to another prison except one so authorised. Cap. 177.

215. (1) The Governor in Council and, subject to the provisions of any enactment for the time being in force, a council subject to the approval of the Governor in Council may, in respect of a prison established within its jurisdiction, make rules for all or any of the following purposes— Rules.

(a) relating to prison staff—

(i) the engagement, discharge and service of members of a prison staff ;

(ii) the titles or grades of which a prison staff shall consist ;

(iii) the uniform or equipment of a prison staff ;

(iv) the prevention of negligence or abuse on the part of members of a prison staff, and the maintenance of discipline ;

(v) the efficient discharge of their duties by members of a prison staff ;

(vi) generally for ensuring the proper administration of and control over prison staff ;

(b) relating to prisoners—

(i) the return of a discharged prisoner to his ordinary place of abode and the necessary and proper precautions to ensure such return ;

(ii) the release of prisoners on the day preceding such holidays or other days as may be specified in the rules ;

(iii) the regulation of the work or labour of convicted persons ;

(iv) the remission of sentences for good conduct ;

(v) the discipline of the prisoners.

(2) Where a council has with the approval of the Governor in Council made rules in respect of any of the matters referred to in sub-section (1) of this section any regulations made by the Governor in Council in respect of the same matters shall cease to have effect in respect of the prisons to which such council rules apply.

216. (1) The Governor in Council may make regulations in respect of prisons to which this Part applies for any or all of the following purposes— Power to make regulations.

(a) for regulating the legal custody of prisoners under sentence of death ;

(b) for the removal of prisoners in case of infectious disease and the removal of sick prisoners to a hospital outside the prison and the custody of prisoners so removed ;

(c) the grant of licences to prisoners to be at large, the conditions of such licences and the penalties and procedure upon a breach of such conditions ;

(d) the health and diet of the prisoners ;

(e) the length of time and the conditions under which a person awaiting trial or a judgment debtor may be kept in custody in a lock-up ;

(f) notwithstanding the particularity of the powers hereinbefore set forth, generally for regulating the management of prisons and matters affecting the health and treatment of prisoners therein.

(2) Regulations made under this section may be applied to prisons generally or to prisons in any specified area as may be provided therein.

PART XVIII.—POWER TO ACQUIRE AND DISPOSE OF LAND

*General*

Interpretation.

217. In this Part “local government purpose” means, in relation to a council, for the purpose of a function conferred on that council by or under this Law or any other enactment.

Council may acquire land by agreement.

218. A council may by agreement acquire, for a local government purpose, whether by way of purchase, lease, exchange or gift or in any manner authorised by customary law having effect in the locality, any land within its area.

Power to let land.

219. (1) A council may let any land vested in it—

(a) with the consent of the Minister, for any term ;

(b) without the consent of the Minister, for a term not exceeding one year.

(2) For the purposes of sub-section (1) of this section the Minister may authorise a council to grant leases for a term exceeding one year either generally or in relation to any part of the lands vested in the council or may give such authority in relation to a particular transaction.

Power to dispose of land.

220. A council may, with the consent of the Minister—

(a) sell any land vested in it which is not required for the purpose for which it was acquired or is being used ; or

(b) mortgage any land vested in it ; or

(c) exchange any land which may be vested in it for other land, either with or without receiving any money for equality of exchange ; or

(d) grant, lease, sell or exchange any land which may be vested in it to any other council.

*Vesting of native authority land*

221. Where a native authority has exercised jurisdiction in any area in which a council or councils are established under the provisions of this Law or the Western Region Local Government Law, 1952, all land, including any rights or interest in or over land of any nature or description, belonging to or held by or possessed by that native authority shall be vested in such council as the Governor in Council may direct.

Vesting of native authority lands.

222. (1) A council may within five years of being established prepare and deposit in its office a list showing—

Council may deposit plan of land claimed.

(a) the land which has been vested in it by virtue of section 221 ; and

(b) the estate or interest so vested.

(2) A list so deposited shall describe the lands therein, giving the situation and boundaries as accurately as may be practicable. Such list shall be accompanied by plans on which shall be delineated as accurately as practicable the boundaries of the land affected.

(3) A council which has deposited a list in accordance with sub-section (2) of this section shall give notice in the Gazette and in the area of its authority of the deposit of the list together with such description of any land affected as will enable its situation and boundaries to be ascertained.

(4) If any person shall dispute the rights or interests over land vested in a council in accordance with sub-section (1) of this section, the matter shall, in default of agreement, be determined by the High Court.

(5) After the expiration of one year from the notification by a council in the Gazette in accordance with sub-section (3) of this section all land vested in such council, in accordance with sub-section (1) of this section, in respect of which there shall be no dispute shall be deemed to be vested in such council for the estate or interest claimed, free from all adverse or competing rights, title, interests, trusts, claims and demands whatsoever.

223. (1) Where a council has deposited a list in accordance with section 222 and published a notice in the Gazette in accordance with sub-section (3) of that section, it may, after the expiration of two years from the publication in the Gazette of such notice, file in the appropriate office of the Land Registry—

Council may file documents in Land Registry.

(a) a certificate signed by the Commissioner of Lands—

(i) stating that a plan was deposited in accordance with the provisions of section 222 ;

(ii) specifying the rights or interests claimed by the council in respect of which no dispute has arisen ; and

(iii) specifying the rights or interests of which the council has been adjudged the owner in accordance with sub-section (4) of section 222 ; and

(b) a plan or plans showing the boundaries of the land referred to in the certificate.

(2) Where a council has filed a certificate and plan in accordance with sub-section (1) of this section, the proceedings of the council under section 222 shall not be questioned on the grounds that the council has failed to comply with any of the provisions of that section.

*Compulsory acquisition*

Compulsory acquisition of land.

224. (1) The Minister may authorise a council to acquire compulsorily any land within the area of its authority for any local government purpose—

(a) for an estate in fee simple ; or

(b) for a term of years.

(2) The council shall pay such consideration, including rent or compensation, for such land as may be agreed upon or determined under the provisions of this Law.

Preliminary investigation.

225. (1) Whenever it appears to a council that any land within its area is likely to be needed for any local government purpose, it shall be lawful for any person either generally or specially authorised by the council in this behalf, and for his servants and workmen, to do all or any of the following things—

(a) to enter upon and survey and take levels of any land in such locality ;

(b) to dig or bore under the sub-soil ;

(c) to do all other acts necessary to ascertain whether the land is adapted for such purpose ; and

(d) to clear, set out and mark the boundaries of the land proposed to be taken, and the intended line of work (if any) proposed to be made thereon :

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling house (except with the consent of the occupier thereof) without previously giving the occupier at least seven days notice of his intention to do so.

(2) As soon as conveniently may be after any entry made under sub-section (1) of this section the person so authorised as aforesaid shall pay for all damage done, and in the case of a dispute as to the amount to be paid the person aggrieved may refer such dispute to a Magistrate's court or to the High Court.

Notice of intention to acquire land compulsorily.

226. (1) A council which intends to acquire land compulsorily under the provisions of section 224 shall publish a notice of its intention in accordance with the provisions of section 259.

(2) A copy of the notice shall be served on the persons interested or claiming to be interested in such land or to such of them as shall, after reasonable inquiries, be known to the council.

(3) A copy of the notice shall be supplied free of charge to any person applying for the same.

227. The notice may be in the form in the Second Schedule or to the like effect and shall contain—

Contents of notice.

- (a) a description of the land it is intended to acquire ;
- (b) a statement that the council intends to request the Minister to make an order empowering it to acquire the land compulsorily ;
- (c) a statement whether the land is to be acquired for an estate in fee simple or for a term of years ;
- (d) when it is intended to acquire for a term of years, a statement of the terms and conditions on which the council intend to hold the land ; and
- (e) a statement as to the purposes for which the land is required.

228. The fact that notice has been served upon any person under section 226 shall not be taken as an admission by the council that the person on whom such notice is served or any other person has any estate or interest in the land or any part of the land specified in the notice, or debar the council from alleging in any proceedings under this Law or otherwise that such land is the property of the council.

Service of notice under section 226 not an admission of interest.

229. (1) Any person claiming to have an interest in the land described in the notice shall, within sixty days of the publication of such notice, deliver to the council a written statement showing—

Person having claim to inform council.

- (a) the nature of his interest in the land ; and
- (b) the compensation or rent which he claims in respect of that interest.

(2) No claim to an interest in the land or to compensation or rent made after the expiration of sixty days from the publication of the notice shall be entertained by the council or by any court in which a summons is taken out in accordance with section 235.

230. After the expiration of sixty days and within six months from the date of the publication of such notice, the council shall send a copy of the notice to the Minister and of any claim or claims in relation thereto with a request that an order be made empowering them to acquire such land compulsorily.

Copy of notice and claims to be sent to the Minister.

231. The Minister, upon receipt of the notice aforesaid, may make an order authorising the council to acquire compulsorily the land therein described and such land shall, with effect from the date of the order, vest that land in the council for the estate or interest specified in the notice free from all adverse or competing rights, titles, interests, trusts, claims and demands whatsoever.

Order of Minister.

232. (1) A copy of the notice and a copy of the order of the Minister together with a plan of the land shall be filed in the appropriate office of the Land Registry by the council concerned.

Notice, order, etc., to be filed.

(2) Any plan so filed shall be of sufficient accuracy to enable the boundaries of the land to be clearly identified.

Abandonment of acquisition.

233. (1) A council may, at any time before the land intended to be compulsorily acquired is vested in it by order under section 231, declare that the acquisition of the land is abandoned.

(2) Where an acquisition is abandoned the owner of the land and all persons entitled to any estate or interest in the land shall be entitled to receive from the council all such costs as may have been reasonably incurred by them by reason or in consequence of the proceedings for acquisition and compensation for the damage which they may have sustained by reason or in consequence of the notice of intended acquisition, but shall not be entitled to compensation for loss of bargain or for damages for breach of contract.

Where purpose for which lands are required has failed.

234. Where any land has been acquired under the provisions of this Law by a council such land shall, to the extent of the interest acquired therein, be and be deemed to have been the property of the council from the date of such acquisition notwithstanding that the purpose for which such land was acquired has failed or that such land or any part of it is no longer required for the purpose for which it was acquired or being used.

Disputes as to compensation.

235. Notwithstanding any provision of the Magistrate's Courts (Western Region) Law, 1954, if—

(a) a person who has lodged a claim has not given satisfactory evidence of such claim ; or

(b) there is a dispute as to the amount of rent or compensation payable ; or

(c) separate or conflicting claims are made in respect of the same land,

the amount of compensation or rent due and every such case of disputed interest or title shall be determined by a magistrate's court, to the extent of its jurisdiction, or the High Court, as the case may be, upon a summons taken out by the council or any persons in respect of whose claim to an interest in the land notice was given to the council.

Summons to state the amount council willing to pay.

236. Every summons taken out by a council for the purpose of determining the amount of rent or compensation to be paid shall state the amount of rent or compensation the council is willing to pay for the land to which the summons relates.

Written report of Government officer to be evidence.

237. (1) The written report of any officer of the Public Works, Lands, Survey, Agriculture or Forestry Departments of the Region as to the value of the lands or of any buildings or trees or crops thereon shall be evidence thereof.

(2) Any such officer may on giving three days notice in writing to the occupier enter upon any such lands or into any buildings thereon for the purposes of ascertaining the value of such land and the buildings, trees, and crops thereon.

(3) Any party having an interest in such lands or the court may require the attendance of such officer as a witness.

(4) The report of such officer may be proved by a copy thereof under his hand, and proof of the signature on such copy shall not be required unless the court sees reason to doubt the genuineness thereof.

238. In estimating the compensation to be given for any land or any estate or interest therein or for any mesne profits thereof the court shall act on the following principles—

Principles of assessment of compensation.

(a) no allowance shall be made on account of the acquisition being compulsory ;

(b) the value of the land, estate, interest or profits shall, subject to the provisions of this section, be taken to be the amount which such land, estate, interest or profits if sold in the open market by a willing seller might be expected to realise ;

(c) where part only of the land, estate, interest or profit belonging to any person is acquired under the provisions of this Part the court may take into account any enhancement of the value of the residue by reason of the proximity of any improvements or works made or constructed or to be made or constructed by the council acquiring such part ;

(d) the court may have regard not only to the value of the land, estate, interest or profits to be acquired but also to any damage which may be sustained by the owner by reason of the severance of such lands from other lands belonging to such owner or other injurious circumstances affecting such other land by such acquisition :

Provided that the court in estimating such compensation shall assess the same according to what it finds to have been the value of such land, estate, interest or profits at the time when notice of intention to acquire was served and without regard to any improvements or works made or constructed or to be made or constructed thereafter on such land.

239. The payment to any person to whom any rent or compensation shall be paid or the payment into court of any rent or compensation upon a decision of the court shall effectually discharge the council from seeing to the application or being answerable for the misapplication thereof.

Council exonerated upon payment.

240. (1) Where the acquiring council has made an unconditional offer of any sum as compensation or rent to any claimant and the sum awarded by the court to that claimant does not exceed the sum offered, the court shall, unless for special reasons it thinks proper not to do so, order the claimant to bear his own costs.

Costs.

(2) Where the claimant has made an unconditional offer in writing to accept any sum as compensation or rent and the sum awarded by the court is equal to or exceeds that sum the court shall, unless for special reasons it thinks proper not to do so, order the acquiring council to bear their own costs and to pay the costs of the claimant so far as such costs were incurred after the offer was made.

(3) Where the court orders the claimant to pay the costs or any part of the costs of the acquiring council, the acquiring council may deduct the amount so payable by the claimant from the amount of the compensation or rent payable.

PART XIX.—LEGAL PROCEEDINGS

Interpretation.

241. In this Part—

“court” includes the High Court, a magistrate’s court and a customary court ;

“suit” means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of court.

Limitation of suits against council.

242. When any suit is commenced against any council for any act done in pursuance or execution or intended execution of any Law or Ordinance or of any public duty or authority, or in respect of any alleged neglect or default in the execution of any such Law or Ordinance, duty or authority, such suit shall not lie or be instituted unless it is commenced within six months next after the act, neglect or default complained of, or in the case of a continuance of damage or injury, within six months after the ceasing thereof.

Notice of suit to be given to council by intending plaintiff.

243. (1) No suit shall be commenced against a council until one month at least after written notice of intention to commence the same has been served upon the council by the intending plaintiff or his agent.

(2) Such notice shall state the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims.

Mode of service on council.

244. The notice referred to in section 243 and any summons, notice or other document required or authorised to be served on a council in connection with any suit by or against such council, shall be served by delivering the same to, or by sending it by registered post addressed to, the secretary to the council at the principal office of the council :

Provided that the court may, with regard to any particular suit or document, order service on the council to be effected otherwise, and in that case service shall be effected in accordance with the terms of such order.

Description of property.

245. Wherever in any criminal process or proceeding it is necessary to refer to the ownership or description of property belonging to or under the management of a council, such property may be described as the property of the council.

Onus of proof in certain cases.

246. Where in any proceedings under this Law any person is summoned or otherwise dealt with as the occupier of any tenement or building and such person shall allege that he is not the occupier, the proof of such allegation shall be upon such person.

Name of council, etc., need not be proved.

247. In any proceedings instituted by or against a council it shall not be necessary to prove the corporate name of the council or the constitution and limits of its area.

PART XX—OFFENCES

*Corruption and Extortion of Local Government Officials*

248. (1) Any person who, being a local government official—

Corruption  
and  
extortion.

- (a) accepts or obtains ; or
- (b) agrees to accept ; or
- (c) attempts to obtain,

from any person for himself or for any other person any property, benefit or advantage whatsoever, other than legal remuneration, as an inducement or reward—

(i) to do or forbear to do afterwards, or for having already done or forborne to do, any official act ; or

(ii) to show or forbear to show afterwards, or for having already shown or forborne to show, in the exercise of his official functions, favour or disfavour to any person ; or

(iii) to render or attempt to render afterwards, or for having already rendered, any service or disservice to any person with any local government authority or with any local government official, as such, shall be guilty of an offence and liable on conviction to imprisonment for five years.

(2) Any person who corruptly—

(a) gives, confers or procures ; or

(b) promises or offers to give or confer, or to procure or attempt to procure,

to upon or for any other person any property, benefit or advantage whatsoever as an inducement or reward for any such act or omission on the part of a local government official as is mentioned in paragraphs (i), (ii) or (iii) of sub-section (1) of this section shall be guilty of an offence and liable on conviction to imprisonment for five years.

(3) In this section—

“local government authority” means a council, a committee of a council, an assessment committee, an assessment appeal tribunal, a joint board or the Local Government Service Board ;

“local government official” means the president or chairman, or a member or employee of a local government authority (including a rate collector).

*Offences Relating to Rates*

249. (1) Any person who—

Offences in  
relation to  
assessment  
committees.

(a) fails to comply with the requirements of a notice served on him under sections 146, 147, 148, 149 or 150 ;

(b) without reasonable excuse makes an incorrect return by omitting or under stating any income of which he is required under this Law to make a return ;

(c) without reasonable excuse gives any incorrect information to an assessment committee in relation to any matter or thing affecting his liability to pay a rate upon income ;

(d) when required by an appraiser to exhibit anything or to make any declaration which the appraiser is authorised by section 164 to require of him, refuses or neglects to exhibit such thing or to make such declaration ; or

(e) when required by an appraiser to give any information which an appraiser is authorised by section 164 to require of him, refuses to give the information or gives false information ;

shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or to a fine of fifty pounds or to both such imprisonment and fine.

(2) Any person who prevents, or hinders or obstructs an appraiser in the course of his lawful duty from entering, inspecting, or measuring any tenement shall be guilty of an offence and liable on conviction to the penalty prescribed in sub-section (1) of this section.

Dis-  
obedience  
to summons  
of assessment  
appeal  
tribunal.

250. Any person upon whom a summons has been served under the provisions of section 172 who—

(a) refuses or omits, without sufficient cause, to attend at the time and place mentioned in the summons ;

(b) refuses to take an oath or affirmation ;

(c) refuses without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief all questions put to him by the assessment appeal tribunal ; or

(d) refuses or omits, without sufficient cause, to produce any documents in his possession or under his control which are mentioned in the summons,

shall be guilty of an offence and liable on conviction to a fine of fifty pounds :

Provided that no person giving evidence before an assessment appeal tribunal shall be compellable to incriminate himself, and that every such person shall in respect of any evidence given by him or any document he is required to produce be entitled to all the privileges to which a witness in a trial before the High Court is entitled in respect of evidence given by him or a document he is required to produce before such court.

Penalty for  
refusal to  
pay rates.

251. Any person who, without lawful justification or excuse, the proof of which shall lie on the person charged, refuses to pay any rate payable by him under this Law on or before the date on which it is payable, shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds or in default of payment to imprisonment for one year.

252. Any person who, without lawful justification or excuse the proof of which shall lie on the person charged—

Penalty for inciting a person to refuse to pay rates, etc.

(a) incites any person to refuse to pay any rate payable by him under this Law on or before the day on which it is payable ; or

(b) incites or assists any person to misrepresent in any way his rateable capacity,

shall be guilty of an offence, and shall be liable on conviction to a fine of one hundred pounds or to imprisonment for one year or to both such fine and imprisonment.

253. Any person who—

Penalty for unauthorised collection of rates.

(a) not being authorised under this Law or by the rating authority or by a rate collector so to do, collects or attempts to collect any rate imposed under this Law ; or

(b) collects or attempts to collect any rates other than the rates which may be imposed under this Law or authorised by any other enactment,

shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds or to imprisonment for one year or to both such fine and imprisonment.

254. (1) Any rate collector who—

Penalty in respect of offences by rate collector.

(a) fails to deposit with the rating authority any sum of money collected by him as rates ;

(b) demands from any person an amount in excess of the duly assessed rates ; or

(c) renders false returns, whether orally or in writing, of the number of the ratepayers or the amounts of rates collected or received by him ;

shall be guilty of an offence and shall be liable on conviction to imprisonment for three years.

(2) Any person who fails to collect any rate which it is his duty under this Law to collect or fails to carry out any other duty imposed upon him, as a rate collector, by this Law, shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds or to imprisonment for one year or to both such fine and imprisonment.

#### Miscellaneous Offences

255. The provisions of section 250 shall apply in relation to a person summoned by the auditor under section 200 as they apply to a person summoned by an assessment appeal tribunal but as if references to the assessment appeal tribunal were references to the auditor.

Application of section 250 to auditors.

256. Any person who—

Obstruction of officers, etc.

(a) wilfully obstructs any member of a council or any employee of a council in the execution of his duty as such ; or

(b) being the occupier of any premises, prevents the owner of such premises from complying with any of the requirements of a council ; shall be guilty of an offence and shall be liable to a fine of twenty-five pounds or to imprisonment for three months or to both such fine and imprisonment.

PART XXI.—GENERAL PROVISIONS

Delegation of powers by Minister.

257. (1) Subject to the provisions of this section, the Minister may, by notice in the Gazette, depute any person by name or office to exercise and perform on his behalf, such of the powers and duties conferred upon him by or under this Law as may be specified in the notice and thereupon, or from the date specified in the notice, the person so deputed shall have and exercise such powers and duties.

(2) The Minister may in the notice specify conditions, exceptions and qualifications to which the exercise of any power or duty delegated by him shall be subject.

(3) The authority conferred on the Minister by sub-section (1) of this section to delegate his powers shall not extend to any powers conferred by this Law to make regulations or orders.

(4) The Minister may, in the like manner, revoke any such notice, and may exercise any powers or perform any duties conferred upon him by or under this Law notwithstanding the delegation by him of such powers or duties.

Reports and returns.

258. Every council and every joint board shall make to the Minister such reports and returns and give him such information with respect to their functions as he may require.

Publication of notices.

259. Save as in this Law is otherwise expressly provided, the publication of any notice or other document required by this Law to be published shall be deemed to be duly made if it is fixed, for a reasonable time, in some conspicuous place on or near the outer door of the office of the council during office hours, and also in some other conspicuous place or situation within the area of the authority of the council.

Service of notice by the council.

260. (1) Subject to the provisions of this section, any notice, order or other document required or authorised by this Law or any other enactment to be served by or on behalf of a council, or by any employee of the council, on any person shall be deemed to be duly served—

(a) where the person to be served is a company, if the document is addressed to the secretary of the company at its registered office or at its principal office or place of business, and is either—

(i) sent by registered post ; or

(ii) delivered at the registered office, or at an office or place of business of the company within the area of authority of the council ;

(b) where the person to be served is a partnership, if the document is addressed to the partnership at its principal place of business or an office or place of business within the area of authority of the council, identifying it by the name of the style under which its business is carried on, and is either—

- (i) sent by registered post ; or
- (ii) delivered at that office ;

(c) where the person to be served is a public body, a council or a corporation, society or other body, if the document is addressed to the chairman, clerk, president, secretary, treasurer or other principal officer of that body, authority, corporation or society at its principal office and is either—

- (i) sent by registered post ; or
- (ii) delivered at that office ;

(d) in any other case, if the document is addressed to the person to be served, and is either sent to him by registered post or delivered at his residence or place of business.

(2) Any document which is required or authorised to be served on the owner or occupier of any premises may be addressed "the owner" or "the occupier", as the case may be, of those premises (naming them) without further name or description, and shall be deemed to be duly served—

(a) if the document so addressed is sent or delivered in accordance with paragraph (d) of sub-section (1) of this section ; or

(b) if the document so addressed or a copy thereof so addressed is affixed to some conspicuous part of the premises.

(3) Where a document is served on a partnership in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any premises, the council may by notice in writing require the occupier of the premises to state the name and address of the owner thereof, and if the occupier refuses or wilfully neglects to do so, or wilfully misstates the name and address of the owner he shall, unless in the case of a refusal he shows cause to the satisfaction of the court for his refusal, be guilty of an offence and shall be liable in respect of each offence to a fine of twenty-five pounds or in default of payment to imprisonment for a term of three months.

(5) In this section the word "document" means any notice, order or other document which is required or authorised to be served as specified in sub-section (1) of this section.

261. (1) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of a council by any person generally or specially authorised by such council for that purpose.

Instruments  
executed or  
issued by  
council.

(2) Any document purporting to be a document duly executed or issued under the seal of a council or on behalf of a council shall, unless the contrary is proved, be deemed to be a document so executed or issued, as the case may be.

Crown rights.

262. Save as is otherwise expressly provided, nothing in this Law shall affect prejudicially any estate, right, power, privilege or exemption of the Crown.

#### PART XXII.—TRANSITIONAL PROVISIONS

Interpretation.

263. In this Part—

Law No. 1 of 1953.

“the 1952 Law” means the Western Region Local Government Law, 1952.

Provisions relating to sections 3 and 7.

264. (1) Subject to the provisions of sub-section (1) of this section, every Instrument establishing a council, and every amending Instrument, made under the 1952 Law and in force immediately before the appointed day—

(a) shall, except to the extent that other provision is made by this Law, have effect as if it had been made under sections 3 and 7 of this Law respectively ;

(b) shall be construed with such modifications and adaptations as may be necessary for the purposes of this Law ; and

(c) may be amended or revoked as if it were an Instrument made under this Law.

(2) The provisions of sub-section (1) of this section shall not apply to the Instruments made under the repealed Law establishing the Ishan Divisional Council, the Afenmai Divisional Council or the Oshun Divisional Council and those Instruments shall, without prejudice to the powers of the Governor in Council to make provision in relation to those councils under section 10 of this Law, be deemed to have been revoked with effect from the appointed day.

Provisions relating to section 16.

265. Any person who immediately before the appointed day was a traditional member of a council for the purposes of the 1952 Law shall, as from the appointed day, be deemed to be a traditional member of that council for the purposes of this Law.

Provisions relating to sections 27 and 15.

266. (1) Regulations made under section 33 of the 1952 Law and in force immediately before the appointed day—

(a) shall have effect as if they were made under section 27 of this Law ;

(b) shall, be construed with such adaptations and modifications, if any, as may be necessary for the purposes of this Law ; and

(c) may be amended and revoked accordingly.

(2) The persons who immediately before the appointed day were elected members of a council for the purposes of the 1952 Law shall be deemed, as from the appointed day, to be elected members of that council for the purposes of this Law:

Provided that the provisions of this sub-section shall not apply to any such elected member who, by virtue of the provisions of this Law, ceases to be qualified to be an elected member of a council or becomes disqualified for being an elected member of a council.

267. A finding of an Inquiry appointed under section 14 of the repealed Law shall, for the purposes of paragraph (a) of sub-section (2) of section 19, be deemed to be the finding of an Inquiry appointed under section 85 of this Law. Provisions relating to section 19.

268. The term of office of every member of a council to whom the provisions of section 265 or sub-section (2) of section 266 apply, other than a traditional member directly appointed by the Instrument, shall expire in April 1958, on the day appointed by the Minister for a general election to that council. Provisions relating to section 21.

269. Any member of a council holding office as chairman of that council immediately before the appointed day shall be deemed to have been appointed or elected in accordance with the provisions of section 30 and shall (unless he sooner vacates the office) continue to hold the same until a new chairman is elected at the annual meeting of the council next following the appointed day. Provisions relating to section 30.

270. Standing Orders made, or having effect as if made, by a council and in force immediately before the appointed day shall have effect as if they have been made by that council under section 45 of this Law and may be amended or revoked accordingly. Provisions relating to section 45.

271. Until other provision is made by the Instrument—

(a) a council shall have the powers—

- (i) to engage in trade, commerce or industries ;
- (ii) to provide and maintain works and services ;
- (iii) to make bye-laws ; and
- (iv) to exercise functions under other enactments

that are specified in relation to it in the Third Schedule ; and

(b) shall be required to carry out such of those functions as are therein mentioned.

Provisions relating to sections 63, 64, 65, 67 and 69.

272. (1) Bye-Laws made by a council under section 77 of the 1952 Law and in force immediately before the appointed day shall— Provisions relating to existing bye-laws.

(a) to the extent that they relate to a matter with respect to which the council may make bye-laws under this Law, have effect as if made under section 67 of this Law ; and

(b) to the extent that they relate to a matter with respect to which the council may, after the appointed day, make bye-laws under any provision of any other enactment, have effect as if made under that provision,

and may be amended or revoked accordingly.

(2) Subject to the provisions of this Law, the provisions of subsection (1) of this section shall apply in relation to rules regulations or bye-laws that could immediately before the appointed day be replaced by a bye-law made by a council in accordance with the provisions of section 223 of the 1952 Law, as they apply to bye-laws made by that council.

Provisions relating to section 82.

273. (1) Orders made under section 78A of the 1952 Law and in force immediately before the appointed day—

(a) shall have effect as if made under section 82 of this Law ;

(b) shall be construed with such adaptations and modifications as are necessary for the purposes of this Law ;

(c) may be amended or revoked accordingly.

(2) Bye-laws adopted by a council under section 78A of the 1952 Law and in force immediately before the appointed day shall, to the extent that the council may make bye-laws with respect to that matter, have effect as if adopted under section 82 of this Law and may be amended or revoked accordingly.

Provisions relating to section 95.

274. (1) Subject to the provisions of this section, the power of the Minister to make regulations under section 95 of this Law shall extend to the making of regulations with respect to the transfer to the unified local government service of persons who are the employees of councils.

(2) No person who is the substantive holder of a post which, after his appointment thereto, becomes a post in the unified local government service shall, so long as he remains the holder of that post, be required by regulations made under this section, to transfer to the unified local government service.

Provisions relating to section 104.

275. Staff Regulations made under section 92 of the 1952 Law and in force immediately before the appointed day shall have effect as if made under section 104 of this Law and may be amended or revoked accordingly.

Provisions relating to section 106.

276. Regulations made under section 93 of the 1952 Law and in force immediately before the appointed day shall have effect as if made under section 106 of this Law and may be amended or revoked accordingly.

Provisions relating to section 111.

277. Until other provision is made by the Instrument, a council shall have such power to incur expenditure for the purposes of subsection (2) of section 111 of this Law and shall be required to incur such expenditure as is specified in relation to that council in the Third Schedule.

Provisions relating to section 119.

278. Financial Memoranda issued under section 107 of the 1952 Law and in force immediately before the appointed day—

(a) shall have effect as if made under section 119 of this Law ;

(b) shall be construed with such modifications and adaptations as are necessary for the purposes of this Law ; and

(c) may be amended or revoked accordingly.

279. (1) For the year of assessment commencing on the first day of April, 1957, a rating authority may levy general and education rates in accordance with such one or more of the systems specified in section 135 as was in force in the area of the authority immediately before the appointed day and upon such persons as were liable to those systems of rating.

Provisions relating to sections 136 and 137.

(2) Where any question arises as to the systems in force in the area of a rating authority it may be determined by the Minister whose decision shall be final.

280. For the year of assessment commencing on the first day of April, 1957, and for every succeeding year of assessment until an order is made under section 154, the method of assessment of tenements shall be in accordance with the method prescribed in the Rating Regulations, 1956.

Provisions relating to section 164.

281. In any area in which a valuation list prepared in accordance with the Rating Regulations, 1956, is in force immediately before the appointed day—

Provisions relating to section 159.

(a) the first general assessment for the purposes of section 159 shall be deemed to have been made in the year 1956 ;

(b) that valuation list prepared in accordance with these regulations shall be deemed to have been prepared in accordance with the provisions of Part XIV of this Law, and shall have effect accordingly.

282. The Native Authority Prison Regulations, 1938—

Provisions relating to section 214.

(a) shall have effect as if they were made under section 216 of this Law ;

(b) shall be construed with such adaptations and modifications as are necessary for the purpose of this Law ;

(c) may be amended or revoked accordingly.

#### PART XXIII.—AMENDMENTS AND REPEALS

283. (1) Subject to the provisions of this Law or any other enactment, wherever in any Law of the Region or in any Ordinance, rule of court or other document, having effect within the Region, the expression “the Western Region Local Government Law, 1952”, is used, there shall be substituted for that expression “the Local Government Law, 1957” ;

General substitution of References to the Law.

(2) In this section “Ordinance” does not include any provision of an Ordinance that relates to a matter within the legislative competence of the Federal Legislature.

284. The Ordinances and Laws specified in the Fourth Schedule are hereby amended to the extent shown in the second column of that Schedule with effect from the appointed day.

Amendment of enactments : Fourth Schedule.

Enactments  
repealed.

285. The Ordinances and Laws specified in the Fifth Schedule are hereby repealed with effect from the appointed day.

Saving.

286. Notwithstanding the repeal of the Western Region Local Government Law, 1952, any rate which would have been leviable for any year ending on or before the first day of April, 1957, under that Law and which has not been collected at the appointed day shall be levied and collected in accordance with and subject to that Law.

Section 83.

### FIRST SCHEDULE

#### PROVISIONS RELATING TO INQUIRIES

1. Subject to paragraph 5, a person appointed to conduct an Inquiry shall have the following powers—

(a) to procure all such evidence, written or oral, and to examine all such persons as witnesses as he may think necessary ;

(b) to require the evidence of any person to be made on oath or declaration, such oath or declaration to be that which could be required of the witness if he were giving evidence in a magistrate's court ;

(c) to summon any person in the Region to attend any inquiry to give evidence or procure any document or other thing in his possession and to examine him as a witness or require him to produce any document or other thing in his possession ;

(d) to issue a warrant to compel the attendance of any person who, after having been summoned to attend, fails to do so, and does not excuse such failure to the satisfaction of the person conducting the Inquiry, and to order him to pay all costs which may have been occasioned in compelling his attendance or by reason of his refusal to obey the summons, and also to fine such a person a sum not exceeding fifty pounds, such fine to be recoverable in the same manner as a fine imposed by a Magistrate's Court ;

(e) to admit any evidence whether written or oral which might be inadmissible in civil or criminal proceedings ; and

(f) to enter upon any land, including Crown land, for the purpose of obtaining information or evidence.

2. (1) Summonses to witnesses shall be in such form as the Minister may direct and shall be served by a member of a local government police force or by such person as the person conducting the Inquiry may appoint.

(2) A warrant to arrest a person who has failed to obey a summons to attend as a witness shall be in such form as the Minister may direct and may be executed by a member of a local government police force, or when consent has been given by the Governor-General by notice in the Gazette of the Federation, by a police officer.

3. A person called as a witness in any Inquiry shall not be excused from answering any question on the ground that the answer thereto may criminate or tend to criminate himself or on the ground of privilege :

Provided that an answer by a person to a question put by or before the person presiding at the inquiry shall not, except in the case of any criminal proceedings for perjury in respect of such evidence, be in any proceedings, civil or criminal, admissible in evidence.

4. No person appointed to conduct an Inquiry shall be liable to any action or suit for anything done by him in that capacity.

5. The authority responsible for appointing a person to conduct an Inquiry may, when making an appointment, direct in writing that such person shall not exercise such of the powers conferred by this Schedule as he may specify.

6. A person appointed to conduct an Inquiry may, if so directed by the appointing authority, sit with assessors.

7. A person so appointed shall, at the conclusion of the Inquiry, make a report to the authority by which he was appointed.

SECOND SCHEDULE

Section 227.

The Local Government Law, 1957

NOTICE is hereby given that the following lands (describe the lands, giving measurement and showing boundaries wherever practicable).....

.....

are required by the.....Council for the following purposes.....

(state purpose for which land is required)

.....

TAKE NOTICE that the.....Council intends to ask the Minister of Local Government for an order authorising the Council to acquire the said lands absolutely or for a term of.....years subject to the following terms and conditions.

ANY person claiming to have any right or interest in the said land is required within sixty days from the date of this notice to send to the.....Council a statement of his right and interest and of the evidence thereof and of any claim made by him in respect of such right or interest.

THE.....Council is willing to treat for the acquisition of the said land.

THE amount of compensation or rent which the.....Council is willing to pay is £.....

The.....day of.....

Seal of the.....Council.

## Section 271.

## THIRD SCHEDULE

Councils	Powers under Section 64	Powers under Section 65 required to be exercised	Powers under Section 67	Powers under Section 69	Powers under Section 111 (2) (a)	Powers under Section 127
All Divisional Councils within whose area of authority are Local Councils only, and all all-purpose District Councils.	To engage in any form of trade, commerce or industry.	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	All powers	All powers	To be the Raising Authority for its area.
Akoko Divisional Council ... ..	To engage in any form of trade, commerce or industry.	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	All powers	All powers	To be the Raising Authority for its area.
Aasba Divisional Council ... ..	To engage in any form of trade, commerce or industry.	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	All powers	All powers	—
Akure Divisional Council and Ife Divisional Council.	To engage in any form of trade, commerce or industry.	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	All powers	All powers	To be the Raising Authority for its area.
Ijesha Divisional Council ... ..	To engage in any form of trade, commerce or industry.	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	All powers	All powers	To be the Raising Authority for its area.

## THIRD SCHEDULE—contd.

Councils	Powers under Section 64	Powers under Section 65	Powers under Section 65 required to be exercised	Powers under Section 67	Powers under Section 69	Powers under Section 111 (2) (a)	Powers under Section 127
Ikare District Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance.	All powers	—
Aasaba Urban District Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Aniocha District Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Ika District Council	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Akure District Council and Ife District Council, ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	—	All powers	—
Ifedore District Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	—	All powers	—

Powers under Section 69	Powers under Section 111 (2) (a)	Powers under Section 127
<p><i>All powers</i></p> <p><i>In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.</i></p>	<p>All powers</p>	<p>—</p>
<p><i>All District Councils in Benin Division.</i></p> <p>To engage in any form of trade, commerce or industry.</p>	<p>All powers</p>	<p>Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.</p>
<p><i>Ekiti Divisional Council ...</i></p> <p>To engage in any form of trade, commerce or industry.</p>	<p>All powers</p>	<p>Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.</p>
<p><i>All District Councils in Ekiti Division.</i></p> <p>To engage in any form of trade, commerce or industry.</p>	<p>All powers</p>	<p>Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.</p>
<p><i>Okitipupa Divisional Council ...</i></p> <p>To engage in any form of trade, commerce or industry.</p>	<p>All powers</p>	<p>Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.</p>

## THIRD SCHEDULE—contd.

Councils	Powers under Section 64	Powers under Section 65	Powers under Section 65 required to be exercised	Powers under Section 67	Powers under Section 69	Powers under Section 111 (2) (a)	Powers under Section 127
All District Councils in Okitipupa Division ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957; the Forestry Ordinance.	All powers	To be the Rating Authority for its area.
Egbadó Divisional Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—
All District Councils in Egbadó Division ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	The Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Egba Divisional Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	To be the Rating Authority for its area.
All District Councils in Egba Division.	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	The Public Health Law, 1957.	All powers	—
Oyo Divisional Council ... ..	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—

## THIRD SCHEDULE—contd.

Councils	Powers under Section 64	Powers under Section 65	Powers under Section 65 required to be exercised	Powers under Section 67	Powers under Section 69	Powers under Section 111 (£) (a)	Powers under Section 127
All District Councils in Oyo Division.	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957; the Forestry Ordinance.	All powers	To be the Rating Authority for its area.
Ijebu Divisional Council ...	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—
All District Councils in Ijebu Division.	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Epe Divisional Council ...	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—
All District Councils in Epe Division.	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Owo Divisional Council ...	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—

## THIRD SCHEDULE—contd.

Councils	Powers under Section 64	Powers under Section 65	Powers under Section 65 required to be exercised	Powers under Section 67	Powers under Section 69	Powers under Section 111 (2) (a)	Powers under Section 127
All District Councils in Owo Division...	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	The Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
Ondo Divisional Council ...	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Forestry Ordinance.	All powers	—
All District Councils in Ondo Division.	To engage in any form of trade, commerce or industry.	All powers	In accordance with paragraph (18) to provide and maintain such public roads, bridges and paths as the Minister may direct.	All powers	Section 11 of the Road Traffic Ordinance; the Public Health Law, 1957.	All powers	To be the Rating Authority for its area.
All Local Councils	—	(2) (15) (19) (22) (24) (25) (28) (29)	—	(4) (6) (8) (10) (11) (18) (19) (20) (21) (24) (25) (27) (28) (37) (38) (39)	—	(i) (ii) (iv)	—

Section 284.

FOURTH SCHEDULE

AMENDMENT OF ENACTMENTS

<i>Enactment</i>	<i>Section</i>	<i>Amendment</i>
The Forestry Ordinance.	2	After the definition of "lands at the disposal of the government" insert the following definition—"local government council" means a council established under the Local Government Law, 1957, upon which the Governor in Council may, by the Instrument, confer the functions of a council under this Ordinance".
The Nigeria Town and Country Planning Ordinance.	49	In paragraph (c) of sub-section (1) for "Part XVIII of the Western Region Local Government Law, 1952", substitute "Part XIX of the Local Government Law, 1957".
The Road Traffic Ordinance.	11	(1) In sub-section (1) for "In a township— (a) the local authority may by order which may be either general or in respect of specified occasions provide for" there shall be substituted— “(a) A competent local government council may make provision by bye-law for—” (2) For sub-section (2) there shall be substituted— “(2) The approving authority for bye-laws made under sub-section (1) of this section shall be the Regional Minister charged with responsibility for road traffic matters”. (3) In sub-section (3) after "order" insert "or bye-law". (4) After sub-section (3) there shall be inserted— “(4) In this section 'competent local government council' means a local government council upon which the Governor in Council may by the Instrument confer the functions of a council under this section".
The Education Law, 1954.	4	Substitute— “4. (1) The Minister may cause an inquiry to be held for the purpose of any of his functions under this Law and may appoint a person in writing to conduct any such inquiry.

FOURTH SCHEDULE—*contd.*

AMENDMENT OF ENACTMENTS

<i>Enactment</i>	<i>Section</i>	<i>Amendment</i>
		(2) The provisions of the First Schedule to the Local Government Law, 1957, shall have effect with respect to the powers of a person conducting an Inquiry under this section and the proceedings before such an inquiry".
	8	<p><i>For</i> sub-section (1) <i>substitute</i> :—</p> <p>"(1) The Minister may, with the concurrence of the Minister of Local Government, by order, appoint—</p> <p>(a) a local authority ; or</p> <p>(b) a joint board established under the provisions of section 56 of the Local Government Law, 1957, for the purpose of the joint operation of works and services that may be provided under this Law, to be the local education authority for the area over which the local authority or joint board, as the case may be, exercises authority."</p>
	15	<p><i>For</i> paragraph (a) of sub-section (3) <i>substitute</i>—</p> <p>"(a) in relation to an authority which is a local government council or joint board, the provisions of Part XII of the Local Government Law, 1957 ;"</p>
	94	<p><i>For</i> "Part XVII of the Western Region Local Government Law, 1952," wherever it occurs <i>substitute</i> "Part XVIII of the Local Government Law, 1957", and after 'Local Government Council' insert 'or a joint Board'.</p>
The Local Government Police Law, 1955.	4	<p><i>For</i> "Local Government Law" <i>substitute</i> "Western Region Local Government Law, 1952", wherever it occurs.</p>
	26	<p>(1) <i>For</i> "Part XVII" wherever it occurs <i>substitute</i> "Part XVIII".</p> <p>(2) <i>Delete</i> "as if the consent of the Regional Authority had been given".</p>
	28	<p><i>For</i> "Local Government Law" <i>substitute</i> "Western Region Local Government Law, 1952".</p>

FOURTH SCHEDULE—*contd.*

AMENDMENT OF ENACTMENT

<i>Enactment</i>	<i>Section</i>	<i>Amendment</i>
Schedule	Delete	all references to sections and substitute—
		“Sections 72 to 76 inclusive. Sections 114 to 125 inclusive. Part XVI Part XIX Part XXI”.

FIFTH SCHEDULE

REPEAL OF ENACTMENTS

- The Assessment Ordinance.
- The Markets Ordinance.
- The Native Authority Ordinance.
- The Townships Ordinance.
- The Western Region Local Government Law, 1952.
- The Native Authority (Employment of Staff) Law, 1952.
- The Local Authorities (Imposition of Education Rate) Law, 1953.
- The Assessment Law, 1954.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*

Supplement to the Western Regional Gazette No. 21, Vol. 6, 2nd May, 1957—Part A

Assented to in Her Majesty's name this 6th day of March, 1957.

J. D. RANKINE,  
Governor, Western Region

(L.S.)

No. 13



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
Governor, Western Region

A LAW TO PROVIDE FOR THE PRESERVATION OF COPIES OF BOOKS  
PUBLISHED IN THE REGION.

[2nd May, 1957.] Date of  
Commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Publications Law, 1956. Short title.

2. In this Law the word "book" includes every part or division of a book, newspaper, magazine, review, gazette, pamphlet, sheet of letterpress, sheet of music, map, plan, chart or table separately published, but shall not include a commercial advertisement or any second or subsequent edition of a book unless such edition contains additions or alterations either in the letterpress or in the maps, prints or other engravings belonging thereto. Interpreta-  
tion.

Delivery of  
copies within  
one month  
after publica-  
tion.

3. (1) The publisher of every book published in the Region shall, within one month after the publication, deliver at his own expense two copies of the book to the Library of the University College, Ibadan, and two (further) copies to such officer as may be prescribed by the Governor by notice in the Regional Gazette and such officer shall arrange for their preservation in such manner and in such places as the Governor in Council may direct :

Provided that the Governor may by order exempt from the provisions of this sub-section any book or class of books specified in such order.

(2) The copies delivered shall be copies of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published and shall be bound, sewed or stitched together and on the best paper on which the book is printed.

Penalty.

4. Any person who fails to comply with any of the provisions of section 3 shall be liable on summary conviction to a fine of five pounds.

Repeal of  
Ordinance 13  
of 1950.

5. The Publications Ordinance, 1950, is hereby repealed.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

M. A. MACAULEY,  
*Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 18th day of May, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 14



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.

*Officer Administering the Government of the Western Region*

A LAW TO IMPOSE A TAX UPON THE SALE OF PRODUCE AND TO MAKE Title.  
PROVISION FOR THE COLLECTION AND RECOVERY THEREOF AND FOR  
PURPOSES CONNECTED THEREWITH.-

[ 1st April, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

**PART I.—INTRODUCTORY**

1. This Law may be cited as the Produce Sales Tax Law, 1957, and shall be deemed to have come into operation on the first day of April, 1957.

Short title  
and com-  
mencement.

Interpre-  
tion.

2. In this Law unless the context otherwise requires—

“chargeable sale” means a sale subject to tax ;

“chargeable produce” means produce whose sale is subject to tax ;

“the Commissioner” means the Commissioner of Inland Revenue for the Region and includes a Deputy Commissioner of Inland Revenue ;

“the government” means the government of the Region ;

Law No. 10  
of 1954.

“licensed buying agent” means a buying agent in possession of a valid licence granted by the Marketing Board under the Marketing Board Law, 1954 ;

“marketed produce” means produce for the time being included in Part I of the Schedule ;

“Marketing Board” means the Western Region Marketing Board established by the Marketing Board Law, 1954 ;

“prescribed” in relation to marketed produce means prescribed by regulations made under section 11, and, in relation to other chargeable produce, prescribed by regulations made under section 29 ;

“produce” means any product of agriculture, horticulture or silviculture ;

“Region” means the Western Region ;

“resale” includes resale outside the Region ;

“sale” means any contract which is a contract of sale within the meaning of the Sale of Goods Act, 1893, and also a contract similar to such contract in other respects but made for a consideration wholly or partly in money's worth and not, or not only, in money, and includes any transaction, in whatsoever form expressed, in so far as its effect is in substance the same as the effect of such a contract as aforesaid, and reference to goods being bought includes, in relation to a purchase made for a consideration not, or not only, in money, and in relation to any such transaction as aforesaid, references to goods being acquired in any manner ;

“tax” means the produce sales tax imposed by or under this Law.

## PART II.—IMPOSITION OF THE TAX

Produce sales  
tax imposed.

3. A tax, to be called produce sales tax, shall be charged in the Region, subject to and in accordance with the provisions of this Law, on all chargeable sales of the produce mentioned in the first column of the Schedule at the rates specified in the second column of the Schedule.

4. (1) The Legislative Houses of the Region may from time to time vary the provisions of the Schedule by resolution passed by both such Houses ordering— Legislative Houses may vary tax.

(a) that tax shall cease to be chargeable in respect of sales of any produce in respect of which it is for the time being chargeable ; or

(b) that tax shall be chargeable in respect of sales of produce in respect of which it is not for the time being chargeable and that such produce shall be included in Part I or Part II of the Schedule as the case may be ; or

(c) that an increased or reduced rate of tax shall be substituted as the rate of tax in respect of the sale of any produce in respect of which it is for the time being chargeable ; or

(d) that any produce in respect of whose sale tax is for the time being chargeable shall, if chargeable under Part I of the Schedule, be chargeable under Part II thereof, or, if chargeable under Part II of the Schedule, be chargeable under Part I thereof.

(2) A resolution passed by the Legislative Houses of the Region in exercise of the powers conferred by sub-section (1) of this section shall be published in the Regional Gazette and shall have effect upon such publication or from such date after publication as may be specified in the resolution.

5. (1) Tax imposed on sales of marketed produce in accordance with the provisions of this Part shall be charged, collected and recovered in accordance with the provisions of Part III. Provisions applicable to charge, collection and recovery of tax.

(2) Tax imposed on sales of produce, other than marketed produce, in accordance with the provisions of this Part shall be charged, collected and recovered in accordance with the provisions of Part IV.

### PART III.—SALES OF MARKETED PRODUCE

6. (1) Every sale to the Marketing Board of marketed produce shall be a chargeable sale. Chargeable sales of marketed produce.

(2) For the purposes of this section—

(a) a sale of produce to a licensed buying agent shall be deemed to be a sale to the Marketing Board ;

(b) a resale to the Marketing Board by a licensed buying agent of produce deemed by paragraph (a) of this sub-section to have been sold to the Marketing Board shall not be subject to tax.

7. The tax chargeable in respect of a chargeable sale to the Marketing Board shall be payable by the seller, shall be deemed to be due upon payment to him of the purchase price and shall be collected in the manner provided in section 8. Accountability for tax.

8. (1) The price payable by or on behalf of the Marketing Board upon purchase from a seller under a chargeable sale shall be the price Marketing Board accountable for tax.

Law No. 10 of 1954. prescribed under the Marketing Board Law, 1954, reduced by the amount of tax at the rate in force at the time of purchase.

(2) The Marketing Board shall be accountable for the tax in respect of chargeable sales in the manner prescribed by regulations made under section 11.

Licensed buying agents to supply information.

9. (1) A licensed buying agent shall furnish to the Marketing Board within such time and in such form as it may require such information relating to chargeable sales to such licensed buying agent as the Marketing Board may specify and shall, upon demand by the Marketing Board, produce any book or account relating thereto at such time and place as the Marketing Board may require.

(2) A licensed buying agent who fails to comply with any requirement of the Marketing Board lawfully made under this section shall be liable to a penalty of fifty pounds.

(3) A penalty incurred under sub-section (2) of this section may be sued for, enforced and recovered by suit or other appropriate civil proceedings in a magistrate's court, which court is hereby invested with the necessary jurisdiction for the purpose, by the Attorney-General of the Region and all such proceedings shall be deemed to be civil proceedings and the ordinary civil procedure applying in such court shall apply thereto.

Offences.

10. (1) If any person—

(a) in relation to any requirement of the Marketing Board under sub-section (1) of section 9 knowingly furnishes any statement, information or report which is false in any material particular, or recklessly makes a statement which is false in any material particular ; or

(b) with intent to deceive, for the purpose of section 9 produces, furnishes or makes use of any book, account or other document which is false in a material particular,

he shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or to a fine of fifty pounds or to both such imprisonment and fine.

Power of Governor-in-Council to make regulations.

11. The Governor-in-Council may make regulations for all or any of the following purposes—

(a) for requiring the Marketing Board to make returns of the amounts of tax for which they are accountable, in respect of such period, in such form and containing particulars with respect to such matters as he may prescribe ;

(b) for requiring the Marketing Boards to pay the amounts of tax appearing by the return to be due from them at such times as he may prescribe.

## PART IV.—SALES OF OTHER CHARGEABLE PRODUCE

12. (1) Every sale within the Region of any produce specified in Part II of the Schedule to a person required by sub-section (1) of section 13 to be registered in respect of that produce shall be a chargeable sale. Chargeable sales and accountability.

(2) The tax shall be paid by the seller at the time of delivery of the produce sold.

(3) The tax shall be collected, accounted for and remitted to the Commissioner by the purchaser within such time and in such manner as may be prescribed.

13. (1) Subject to the provisions of this section, every person whose business includes the buying of any produce specified in Part II of the Schedule for the purposes of resale shall be registered as a buyer of that produce : Registration of buyers of produce.

Provided that a person shall not be required to be registered by reason of his carrying on such business if his annual gross takings from his sales of chargeable produce do not on the average exceed such sum as may be prescribed in respect of that produce or, in the case of a business recently commenced are unlikely to do so.

(2) Every person carrying on business in such circumstances that he is required under sub-section (1) of this section to be registered under this Part shall make an application in the prescribed form to the Commissioner to be registered—

(a) if he is carrying on business at the date when the sale of any produce becomes chargeable by or under the provisions of this Law, within ninety days of that date ; or

(b) if he begins to carry on business in such circumstances that he is required to be registered or if the circumstances of a business carried on by him becomes such that he is required to be registered after the sale of any produce becomes chargeable by or under the provisions of this Law, within fourteen days of his commencing to carry on such business or when the circumstances of his business become such as aforesaid as the case may be.

(3) The Commissioner shall register every person who is required by this Part to be registered (whether or not application is made by such person) and shall on his registration issue to him a certificate thereof.

(4) Where a person who is registered ceases to be required by this Part to be registered the Commissioner shall cancel his registration.

(5) The Commissioner shall give notice to every person registered, otherwise than in accordance with an application made by him, and to every person whose registration is cancelled, of such registration or cancellation, as the case may be.

14. Every person required by this Part to be registered shall make such return to the Commissioner and keep such records as may be prescribed. Returns.

Secrecy.

15. Returns made under this Law or any regulations shall be available only to the Commissioner and persons authorised by him and for the purposes of this Law.

Determina-  
tion of tax.

16. (1) When a person accountable for tax having bought chargeable produce to which this Part applies fails to make a return or remittance as required by or under this Law, or if his returns are not substantiated by records, the Commissioner may make an estimate of the amount of the tax collected by such person for which he has not accounted, and such estimated amount shall thereupon be deemed to be the tax collected by that person, and he shall pay that amount to the government and the Commissioner may give notice in writing either by post or by serving such person, his heirs, administrators, executors or assigns, requiring that such estimated amount shall be paid over to the Commissioner or otherwise accounted for within thirty days from the date the notice is mailed or served.

(2) Proof that notice under sub-section (1) of this section has been given shall constitute *prima facie* evidence that the amount stated therein is due and owing, and the onus of proving otherwise shall rest on the person accountable for tax.

Objection to  
determina-  
tion.

17. (1) If a person disputes liability for the amount stated in the notice as provided in sub-section (1) of section 16, or if he disputes an assessment made under sub-section (2) of section 24, he may personally or by his agent, within sixty days after receipt of the notice or assessment, serve notice of objection upon the Commissioner.

(2) The notice of objection shall be in writing and shall be addressed to the Commissioner.

(3) The notice shall set out clearly the reasons for the objection and all facts relative thereto.

(4) Upon receipt of the notice the Commissioner shall duly consider the matter and affirm or amend the estimate or assessment and forthwith notify the appellant of his decision.

Appeal to  
judge.

18. (1) If a person who has objected is dissatisfied with the decision of the Commissioner, he may appeal therefrom to a Judge of the High Court.

(2) The appellant shall, within sixty days from the date of the giving of the notice of the decision complained of, serve upon the Commissioner a written notice of his intention to appeal which notice shall be signed by the appellant or by his solicitor or agent, and shall set forth the grounds of the appeal; and the appellant shall file a copy of the notice in the office of the registrar of the court. Within fourteen days after the service upon the Commissioner of the notice of appeal, the appellant shall apply to the Judge for the appointment of a day for the hearing of the appeal, and shall serve upon the Commissioner not less than fourteen days before the hearing a written notice of the day appointed for the hearing.

(3) The Judge shall hear the appeal and the evidence adduced before him by the appellant and the Commissioner, and shall decide the matter of the appeal. Upon request made to the Judge by any party to the appeal, the hearing may be held in camera.

(4) The Commissioner shall cause to be produced before the Judge on the hearing of the appeal all papers and documents in his possession affecting the matter of the appeal.

(5) The costs of the appeal shall be in the discretion of the Judge, and he may make an order respecting them in favour of or against the government, and may fix the amount thereof.

(6) The Chief Justice may make rules with respect to the practice and procedure of the court on the hearing of appeals under this section.

19. Any estimate made by the Commissioner under section 16 shall not be varied or disallowed because of any irregularity, informality, omission, or error on the part of any person in the observation of any directory provision of this Part or the regulations made hereunder.

Irregularities, etc., not to affect validity.

20. Neither the giving of a notice of objection or of appeal by any person nor any delay in the hearing of an objection or an appeal shall in any way affect the due date of, or liability for, payment provided under this Part in respect of any tax due and payable or that has been collected on behalf of the government that are the subject-matter of the objection or appeal or in any way delay the collection of the same ; but in the event of the estimate of the Commissioner being set aside or reduced on appeal, the Commissioner shall refund the amount or excess amount of tax which has been paid or collected on behalf of the government.

Collection of taxes unaffected by pending appeals.

21. Every person who collects any tax under this Part shall be deemed to hold the same in trust for the Government and for the payment over of the same in the manner and at the time provided under this Part ; and the amount due shall, until paid, form a lien and charge of the entire assets of his estate in the hands of any trustee, having priority over all other claims of any person.

Liability for payment of tax collected.

22. Where default is made in the payment of any tax that is due and payable under this Part or that has been collected or any part thereof, the Commissioner may issue his certificate stating the amount so due, the amount thereof remaining unpaid and the name of the person by whom it is payable, and may file the certificate with any district registrar of the High Court, or with the registrar of any magistrate's court, and when so filed the certificate shall be of the same force and effect, and all proceedings may be taken thereon, as if it were a judgment of the court for the recovery of a debt of the amount stated in the certificate against the person named therein.

Summary proceedings without action.

23. (1) Where a person accountable for tax has failed to collect or to remit tax in accordance with the provisions made by or under this Part, the Commissioner may require him to deposit with the Commissioner a bond by way of cash or other security satisfactory to the Commissioner. The amount of the bond shall be determined by

Bond deposit.

the Commissioner, but shall not be greater than an amount equal to six times the sum or the estimated sum of tax that would normally be collected by the person each month under this Law.

(2) Where a person who has deposited a bond has failed to collect or to remit tax in accordance with provisions made by or under this Part, the Commissioner may, by giving written notice to the person, apply the bond in whole or in part to the amount which should have been collected, remitted, or paid by that person as the amount due to the government as of the date of the notice.

Powers of inspection.

24. (1) Any person appointed by the Commissioner may enter at any reasonable time the business premises occupied by any person, or the premises where his records are kept, to determine whether this Part and the regulations are being and have been complied with, or to inspect, audit, and examine books of account, records, or documents, or to ascertain the quantities of produce whose sale is chargeable under this Part which have been bought by him or are in his possession, and the person occupying the premises shall answer all questions pertaining to these matters, and shall produce such books of account, records or documents as may be required.

(2) Where it appears from the inspection, audit, or examination of the books of account, records, or documents that this Part or the regulations have not been complied with, the person making the inspection, audit, or examination shall calculate the tax collected or due in such manner and form and by such procedure as the Commissioner may deem adequate and expedient, and the Commissioner shall assess the person for the amount of the tax so calculated, but the person so assessed may object or appeal against the amount of the assessment under sections 17 and 18.

Search warrant.

25. (1) Any magistrate who is satisfied by information upon oath that there is reasonable ground for believing that any person has in his possession produce whose sale is chargeable under this Part in respect of which the tax payable has not been paid may at any time issue a warrant under his hand authorising the Commissioner or other official appointed by the Commissioner named therein to enter and search any building, receptacle, or place where such chargeable produce is believed to be situate, and to make such inquiries as are deemed necessary; and such person shall produce for inspection by the person named in the warrant any chargeable produce in his possession and answer any questions relating thereto.

Failure to answer questions or produce for inspection an offence.

(2) Any person who refuses to answer any questions put to him under sub-section (1) of this section respecting the chargeable produce kept on hand on the premises, or who fails to produce for inspection any books of account, records, or documents, or any parcel, box, carton, barrel, tank, or other receptacle in his possession or under his control, that he is required to produce for purposes of inspection, shall be guilty of an offence and liable on conviction to a fine of fifty pounds or imprisonment for six months or both such fine and imprisonment.

26. (1) Any person accountable for tax under this Part who fails to collect and account for the same shall be guilty of an offence and liable on conviction to a fine equal to the amount of the tax that should have been collected and in addition to a fine of fifty pounds and in default of payment to imprisonment for six months.

Failure to collect or account for tax.

(2) A certificate of the Commissioner stating the amount of tax in default shall, for the purpose of sub-section (1) of this section, be conclusive as to the amount of tax that should have been collected.

27. Any person who—

Failure to make returns, etc.

(a) fails or neglects to furnish any returns or information or to comply with any requirement of the Commissioner as and when required by this Part or the regulations thereunder ; or

(b) makes or delivers a return which is false in any material particular,

shall be guilty of an offence and liable on conviction to a fine of fifty pounds or imprisonment for six months or to both such fine and imprisonment.

28. Any person required by section 13 to become registered who fails within the time specified by that section to become registered shall be guilty of an offence and liable on conviction to a fine of ten pounds for each day during which he failed to become registered.

Failure to register.

29. The Governor-in-Council may make regulations providing for any matter for which provision appears to him to be necessary for the purpose of giving effect to the provisions of this Part and in particular and without prejudice to the generality of the foregoing—

Regulations.

(a) prescribing, in respect of any chargeable produce to which this Part applies, amounts for the purposes of sub-section (1) of section 13 ;

(b) prohibiting the sale of any chargeable produce to which this Part applies to a person required to be registered under this Part except in such places as may be prescribed ;

(c) prohibiting the purchase of any chargeable produce to which this Part applies by persons, other than persons registered under this Part, either generally or in any specified circumstances or in respect of amounts of produce exceeding, in quantity or value, such amount as may be prescribed ;

(d) requiring the issue of invoices or similar documents in respect of chargeable sales of produce to which this Part applies and prescribing the particulars to be included therein ;

(e) imposing upon persons who appear to the Commissioner to be carrying on a business which includes the buying of produce to which this Part applies the duty to furnish within such period as may be prescribed information in the prescribed form for determining whether such persons ought to be registered ;

(f) requiring persons registered under this Part to keep such accounts and records and to make such returns of sales to or by them of produce to which this Part applies and of the amounts of tax for which they are accountable, in respect of such periods, in such form and containing such particulars as may be prescribed, and to pay the amounts of tax appearing by the returns to be due from them at such times as may be prescribed ;

(g) requiring any persons concerned in the exportation of produce to which this Part applies to furnish to the Commissioner within such time as may be prescribed such information relating to the export of such goods as may be prescribed ;

(h) prescribing the conditions upon which a refund of tax may be made in respect of the chargeable sale of produce subsequent to an original chargeable sale of the same produce ;

(i) prescribing anything which by this Part is authorised or required to be prescribed.

PART V.—MISCELLANEOUS

Evasion of tax.

30. Any person who wilfully attempts in any manner to evade or defeat tax shall be guilty of an offence and liable on conviction to imprisonment for one year.

Refunds.

31. (1) A deduction or refund of tax may be authorised by the Commissioner—

(a) where an overpayment has been made by the tax-payer ;

(b) where the tax was paid in error ;

(c) subject to such conditions as may be prescribed, in the case of tax upon sales to which Part IV applies, where the Commissioner is satisfied that the same produce has been the subject of an original chargeable sale and a subsequent chargeable sale.

(2) No refund or deduction of tax shall be paid unless application is made therefor in writing by the person entitled thereto within six months of the time when the refund or deduction could first be claimed.

Recovery of tax.

32. Subject to the provisions of this Law, tax may be sued for and recovered in a court of competent jurisdiction by action as for a debt due to the government.

Repeals.

33. The Sale of Produce (Taxation) Ordinance, 1953, is hereby repealed.

SCHEDULE

PART I

Produce	Rate of Tax		
	£	s	d
Cocoa ... ..	4	0	0 per ton
Palm Kernels ... ..	1	0	0 per ton
Palm Oil ... ..	1	0	0 per ton

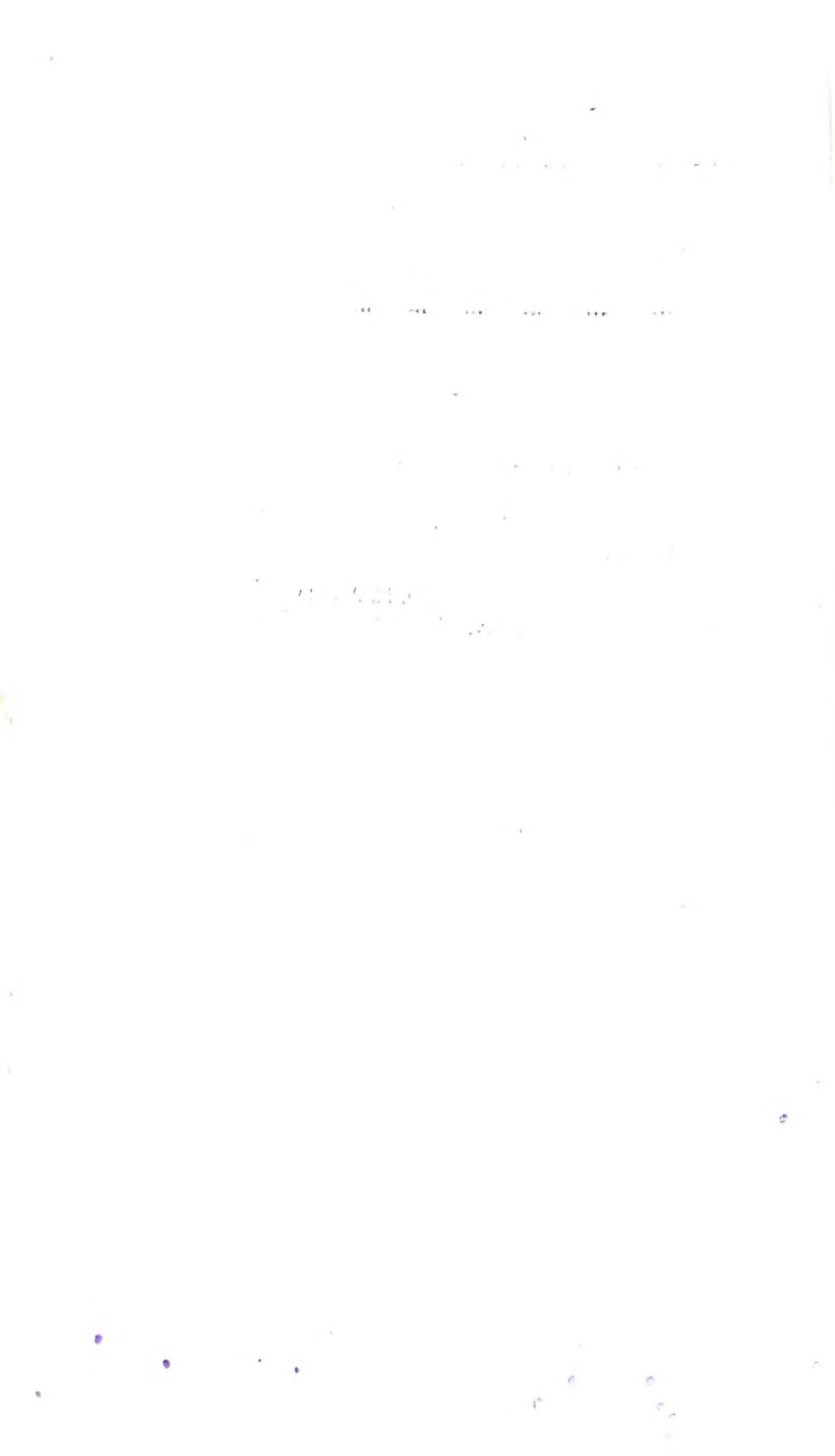
PART II

<i>Produce</i>						<i>Rate of Tax</i>			
						<i>£</i>	<i>s</i>	<i>d</i>	
Rubber...	...	...	...	...	...	0	0	0½	per pound weight

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 20th day of May, 1957.

A. G. R. MOORING,  
Officer Administering the Government  
of the Western Region

(L.S.)

No. 15



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF

**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.

*Officer Administering the Government of the Western Region*

A LAW TO AMEND THE PUBLIC HOLIDAYS ORDINANCE.

Title.

[30th May, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

1. This Law may be cited as the Public Holidays (Amendment) Law, 1957. Short title.

2. The Schedule to the Public Holidays Ordinance is hereby amended by the deletion of the following items :— Amendment  
of Schedule  
to Cap. 184.

"4. Western Region Youth Day (May 28th).

6. The First Monday in August."

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*

## THE INCOME TAX LAW, 1957

## ARRANGEMENT OF SECTIONS

## PART I.—INTRODUCTORY

## SECTION

1. Short title and commencement.
2. Interpretation.

## PART II.—ADMINISTRATION

3. Administrative authority.
4. Official secrecy.
5. Rules.
6. Service and signature of notices.
7. Commissioner may require assessment committee to enquire into profits.

## PART III.—IMPOSITION OF INCOME TAX

8. Charge of tax.
9. Business only partially carried on in the Region.
10. Period for computing income.
11. Commencement and discontinuance of trade, employment, etc.
12. Exemptions.

## PART IV.—ASCERTAINMENT OF INCOME AND TOTAL INCOME

13. Deductions allowed.
14. Deductions not allowed.
15. Commissioner may disregard certain transactions and dispositions.
16. Agricultural profits.
17. Total income.

## PART V.—CHARGEABLE INCOME AND PERSONAL RELIEFS

18. Chargeable income
19. Personal allowance.
20. Married allowance.
21. Children's allowance.
22. Life Assurance.
23. Proof of claims.

## PART VI.—RATES OF TAX, DOUBLE TAXATION RIGHTS OF DEDUCTION

24. Rate of tax.
25. Additional tax in the event of default or omission.
26. Double taxation arrangements.
27. Allowances for tax paid on share in estates, etc.

## PART VII.—PERSONS CHARGEABLE

28. Wife's income.
29. Chargeability of trustees and other representatives.
30. Acts to be done by trustees.
31. Indemnification of representatives.
32. Chargeability of agent of person residing out of the Region.

SECTION

33. Power to appoint agent.
34. Deceased persons.
35. Ascertainment of income from partnership.

PART VIII.—RETURNS

36. Notice of chargeability and returns.
37. Commissioner may call for further returns.
38. Power to call for returns, books, etc.
39. Returns to be deemed to be furnished by due authority.
40. Books of account.
41. Official information and official secrecy.
42. Returns to be furnished of income received on account of, or paid to other persons.
43. Occupiers to furnish returns of rent payable.
44. Return of lodgers and inmates.

PART IX.—ASSESSMENTS

45. Commissioner to make assessments.
46. Additional assessments.
47. Lists of persons assessed and notice of assessment.
48. Service of notice of assessment.
49. Errors and defects in assessment and notice.

PART X.—APPEALS

50. Appointment of local committees.
51. Appeals to local committees.
52. Appeals to the courts.
53. Further appeal to Federal Supreme Court.
54. Tax to be paid pending appeal.
55. Assessments to be final and conclusive.

PART XI.—COLLECTION, RECOVERY AND REPAYMENT, OF THE TAX

56. Proceedings in cases where objections is pending.
57. Time within which payment is to be made.
58. Penalty for non-payment of tax and enforcement of payment.
59. Payment of tax by persons about to leave Nigeria.
60. Collection of tax after determination of objection or appeal.
61. Provision for deduction from certain emoluments.
62. Agreements for payment by instalments.
63. Suit for tax by Commissioner.
64. Remission of tax.
65. Repayment of tax.

PART XII.—OFFENCES AND PENALTIES

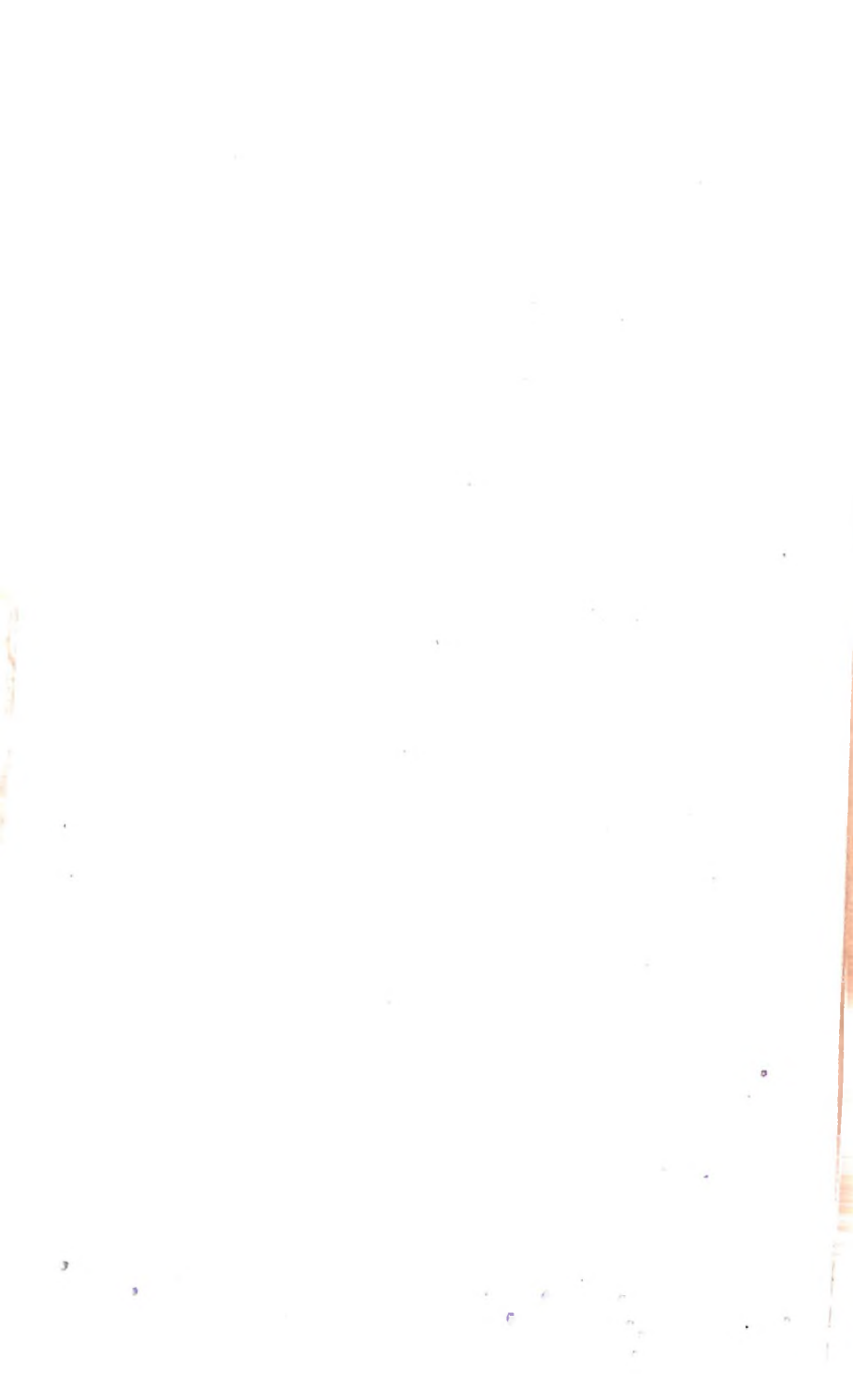
66. Penalty for offences.
67. Penalty for making incorrect return.
68. False statements and returns.

**SECTION**

- 69. Penalties for offences by authorised and unauthorised persons.
- 70. Tax to be payable notwithstanding any proceedings.
- 71. Prosecution to be with the sanction of the Attorney-General.

**PART XIII.—MISCELLANEOUS**

- 72. Legislative Houses may vary schedule.
- 73. Repeal of Cap. 54.



Assented to in Her Majesty's name this 25th day of May, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 16



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.

*Officer Administering the Government of the Western Region*

A LAW TO IMPOSE A TAX UPON INCOME, TO PROVIDE FOR THE ASSESSMENT  
AND COLLECTION THEREOF AND FOR PURPOSES CONNECTED THEREWITH.

[ 1st April, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

**PART I.—INTRODUCTORY**

1. This Law may be cited as the Income Tax Law, 1957, and shall be deemed to have come into operation on the first day of April, 1957.

Short title  
and  
commence-  
ment.

2. In this Law unless the context otherwise requires—  
“body of persons” means any unincorporated fraternity, fellowship, association or society of persons, whether or not carrying on a trade or business, and includes a trustee, other than a trustee mentioned in section 29, and an executor, but does not include a partnership ;

Interpreta-  
tion.

"Commissioner" means the Commissioner of Inland Revenue of the Region and includes a Deputy Commissioner of Inland Revenue or an Inspector of Income Tax for all the purposes of this Law except the exercise of the powers conferred on the Commissioner by section 67 or 68 ;

"company" means any company or corporate body incorporated by or under any law in force in the Region or elsewhere ;

"executor" includes any executor, administrator, or other person administering the estate of a deceased person ;

"incapacitated person" means any infant, lunatic, idiot or insane person ;

"loss" in relation to a trade, business, profession or vocation means a loss computed in like manner as profits ;

"married woman" and "wife" includes a wife married according to customary law where both the husband and the wife are subject to such customary law ;

"the Minister" means the Regional Minister charged, in accordance with the Nigeria (Constitution) Order in Council, 1954, with responsibility for the exercise of the powers and performance of the duties conferred and imposed by this Law on the Minister ;

"person" includes (except for the purposes of section 8) a company or a body of persons ;

"prescribed" means prescribed by rules made under section 5 ;

"resident in the Region", when applied to an individual, means an individual who resides in the Region except for such temporary absences as to the Commissioner may seem reasonable and not inconsistent with the claim of such individual to be resident in the Region ; and any individual who is in the Region for some temporary purpose only and not with any intent to establish his residence therein and who has not actually resided in the Region at one or more times for a period equal in the whole to six months in the year of assessment shall not be treated as resident in the Region ;

"the Region" means the Western Region ;

"tax" means the income tax imposed by this Law ;

"year of assessment" means the period of twelve months commencing on the 1st day of April, 1957, and each subsequent period of twelve months.

## PART II.—ADMINISTRATION

Administra-  
tive  
Authority.

3. (1) The authorities responsible for the due administration of the Law shall be the Commissioner and such other officers as may be appointed for the purpose.

(2) The Commissioner may by notice in the Gazette or in writing authorise any person to perform or assist or advise in the performance of any duty imposed upon the Commissioner by this Law.

4. (1) Every person having any official duty or being employed in the administration of this Law shall regard and deal with all documents, information, returns, assessment lists and copies of such lists relating to the income or items of the income of any person, as secret and confidential. Official  
secrecy.

(2) Every person having possession of or control over any documents, information, returns or assessment lists or copies of such lists relating to the income or items of the income of any person, who at any time communicates or attempts to communicate such information or anything contained in such documents, returns, lists or copies to any person—

(a) other than a person to whom he is authorised by the Minister to communicate it ; or

(b) otherwise than for the purpose of this Law,

shall be guilty of an offence against this Law.

(3) Any proceedings for an offence against this section may be taken by or in the name of the Commissioner but not by any other person except with the consent of the Attorney-General of the Region.

(4) No person appointed under or employed in carrying out the provisions of this Law shall be required to produce in any court any return, document or assessment, or to divulge or communicate to any court any matter or thing coming under his notice in the performance of his duties under this Law except as may be necessary for the purpose of carrying into effect the provisions of this Law, or in order to institute a prosecution, or in the course of a prosecution for any offence committed in relation to income tax.

(5) Where under any law in force in any British possession provision is made for the allowance of relief from income tax in respect of the payment of tax in the Region, the obligation as to secrecy imposed by this section shall not prevent the disclosure to the authorised officers of the Government in that British possession of such facts as may be necessary to enable the proper relief to be given in cases where relief is claimed from tax in the Region or from income tax in that possession.

(6) Notwithstanding anything contained in this section the Commissioner may permit the Director of Audit or any person duly authorised in that behalf by him to have such access to any records or documents as may be necessary for the performance of his official duties. The Director of Audit or any such officer shall be deemed to be a person employed in carrying out the provisions of this Law for the purpose of this section.

5. (1) The Governor-in-Council may from time to time make rules for carrying out the provisions of this Law and may provide for such matters as are authorised by this Law to be prescribed. Rules.

(2) The Commissioner may from time to time specify the form of returns, claims, settlements and notices under this Law. Forms.

Service and  
signature of  
notices.

6. (1) Except where it is provided by this Law that service shall be effected either personally or by registered post the provisions of section 46 of the Interpretation Ordinance shall apply to the service of a notice, if such notice is addressed in accordance with the provisions of sub-section (3) of this section.

(2) Where a notice is sent by registered post it shall be deemed to have been served on the day succeeding the day on which the addressee of the registered letter containing the notice would have been informed in the ordinary course of events that such registered letter is awaiting him at a post office, if such notice is addressed in accordance with the provisions of sub-section (3) of this section :

Provided that a notice shall not be deemed to have been served under this sub-section if the addressee proves that no notification, informing him of the fact that the registered letter was awaiting him at a post office, was left at the address given on such registered letter.

(3) A notice to be served in accordance with sub-section (1) or (2) of this section shall be addressed—

(a) in the case of a company incorporated in Nigeria, to the registered office of the company, and

(b) in the case of a company incorporated outside Nigeria, either to the person authorised to accept service of process under the Companies Ordinance at the address filed with the Registrar of Companies, or to the registered office of the company wherever it may be situated, and

(c) in the case of an individual or body of persons to the last known business or private address of such individual or body of persons.

(4) Any notice to be given, sent or posted under this Law may be served by being left at the appropriate office or address determined under sub-section (3) unless such address is a registered post office box number.

(5) Every notice to be given by the Commissioner under this Law shall be signed by the Commissioner or by some person or persons from time to time authorised by him for that purpose under section 3, and every such notice shall be valid if the signature of the Commissioner or of such person or persons is duly printed or written thereon.

Commis-  
sioner may  
require  
assessment  
committee to  
enquire into  
profits.

7. (1) The Commissioner may by directions in writing require any assessment committee established under the provisions of the Local Government Law, 1957, to enquire into the profits or gains of any person chargeable to tax under this Law and to submit a report thereon to him, and where such directions are given the powers conferred on the assessment committee by sections 146, 147, 148 and 150 of the Local Government Law, 1957, shall apply in relation to the person in respect of whom the inquiry is to be held as they apply in relation to a person subject to an income rate.

(2) Nothing in this section shall affect the powers of the Commissioner under Parts VIII or IX.

## PART III.—IMPOSITION OF INCOME TAX

8. (1) Tax shall, subject to the provisions of this Law, be charged for each year of assessment at the rate hereinafter specified—

Charge of tax.

(a) upon the income of any person resident in any Region or the Southern Cameroons accruing in or derive from the Western Region ; and

(b) upon the income of any person resident in the Western Region accruing in or derived from any other Region or the Southern Cameroons.

(2) For the purposes of sub-section (1) of this section "income" shall mean income in respect of—

(a) gains or profits from any trade, business, profession or vocation, for whatever period of time such trade, business, profession or vocation may have been carried on or exercised ;

(b) gains or profits from any employment or office including any allowance paid or payable in money to or on behalf of an employee or office-holder, other than in respect of medical or dental expenses or any passage to or from Nigeria ;

(c) dividends, interests or discounts ;

(d) any pension, charge or annuity ;

(e) rents, royalties, premiums and any other profits arising from property.

(3) In this section "person" means an African individual and includes a body of persons composed wholly of African individuals.

9. (1) Where a person carries on a trade, business, profession or vocation of which only part of the operations are carried out in the Region, the gains or profits of the trade, business, profession or vocation shall be deemed to be derived from the Region, to the extent to which such gains or profits are not attributable to that part of the operations carried on outside the Region.

Business only partially carried on in the Region.

(2) Gains or profits from any employment or office exercised in the Region shall be deemed to be derived from the Region, whether they are received in the Region or not and whether the contract of employment or the appointment to the office was made in the Region or not.

Employment exercised in the Region.

(3) Where the Commissioner is of the opinion that by reason of the sale or disposal of any asset in any income period the sum of the allowances granted under paragraph (a) of sub-section (1) of section 13 in respect of that asset when added to the net proceeds of sale or the value of the asset at the date of its disposal, as the case may be, exceeds the original cost of the asset or its value at the time it was acquired. The amount of such excess shall be deemed to be a profit of the trade, business, profession or vocation for that period for the purposes of this Law.

10. (1) Subject to the provisions of this section and section 11, the income of any person for each year of assessment from each source of his income (hereinafter referred to as assessable income) shall be the full amount of the income of the year immediately preceding

Period for computing income.

the year of assessment from each such source notwithstanding that he may have ceased to possess any such source or that such source may have ceased to produce income.

(2) Where the Commissioner is satisfied that any person usually makes up the accounts of a trade, business, profession or vocation carried on by him on some day other than the thirty-first day of March, he may direct that the income from that source be computed on the amount of the gains or profits of the year ending on that day in the year preceding the year of assessment.

(3) Where a direction has been given under sub-section (2) of this section in relation to any person for any year of assessment the income of that person from the source concerned shall for each subsequent year of assessment be computed either upon the profits or gains of the year terminating on the same date as is specified in the direction or on such other date and subject to such adjustments as appear to the Commissioner just and reasonable.

(4) Where in the case of any trade, business, profession or vocation it is necessary in order, for the purposes of section 10 or 11, to arrive at the income of any year of assessment or other period to divide and apportion to specific periods the income of any period for which accounts have been made up, or to aggregate any such income or any apportioned parts thereof, it shall be lawful to make such a division and apportionment or aggregation, and any apportionment under this sub-section shall be made in proportion to the number of days in the respective periods, unless the Commissioner, having regard to any special circumstances, otherwise directs.

Commencement and discontinuance of trade, employment, etc.

11. (1) Where a person commences to carry on a trade, business, profession, employment or office during a year of assessment, his assessable income from that source shall be computed—

(a) for the first year of assessment on the full amount of income of that year ; and

(b) for the second year of assessment on the full amount of income of the period of twelve months from the commencement of that trade, business, profession, vocation, employment or office.

(2) Where a person permanently ceases to carry on a trade, business, profession, vocation, employment or office his assessable income from that source shall be computed—

(a) as regards the year of assessment in which the cessation occurs, on the amount of the income of that year ;

(b) as regards the year of assessment preceding that in which the cessation occurs, on the amount of the income of that year or the year before that year, whichever is greater :

Provided that where any such person becomes entitled to receive after the day on which such cessation occurs a pension that person shall be deemed to have commenced a new employment on the day next succeeding the day of cessation and such pension shall be deemed to be income arising from such new employment and the provisions of this section shall apply accordingly.

(3) Where, in any case, the provisions of paragraph (b) of sub-section (1) of this section and of paragraph (a) of sub-section (2) of this section conflict the provisions of the said paragraph (a) shall prevail.

(4) The provisions of sub-sections (1) and (2) of this section shall not apply to any executor as regards any trade or business forming part of the estate of the deceased person.

12. (1) There shall be exempt from tax—

Exemptions.

(a) the income and profits of any co-operative society registered under any Ordinance or Law ;

(b) the income of any trade union registered under the Trade Unions Ordinance, in so far as such income is not derived from a trade or business carried on by such trade union ;

(c) the income of any ecclesiastical, charitable or educational institution of a public character in so far as such income is not derived from a trade or business carried on by such institution ;

(d) the income of any body of persons formed for the purpose of promoting social or sporting amenities not involving the acquisition of gain by the body of persons or by its individual members, subject to such conditions as the Commissioner may attach ;

(e) capital sums withdrawn by individuals on retirement from any pension or provident society or fund approved by the Commissioner ;

(f) the investment income of any pension or provident fund or society approved by the Commissioner under the provisions of paragraph (b) of sub-section (1) of section 13 ;

(g) capital sums received by way of retiring or death gratuities or as consolidated compensation for death or injuries ;

(h) wound and disability pensions granted to members of Her Majesty's Forces ;

(i) interest paid or credited to any person by the Nigerian Post Office Savings Bank or in respect of any Nigerian Savings Certificates ;

(j) the income of any non-resident person whose chargeable income does not exceed fifty pounds.

(2) The Governor in Council may by notice in the Gazette provide that the interest payable on any loan charged on the revenue of the Region shall be exempted from the tax, either generally, or in respect of interest payable to persons not resident in Nigeria, and such interest shall as from the date and to the extent specified by such notice be exempt accordingly.

(3) The Governor in Council may—

(a) exempt any person or class of persons from all or any of the provisions of this Law on any ground which appears to him sufficient ;

(b) exempt from tax all or any income of any person or class of persons from any source.

## PART IV.—ASCERTAINMENT OF INCOME AND TOTAL INCOME

Deduction.  
allowed.

13. (1) For the purpose of ascertaining the income of any person for any period from any source chargeable with tax there shall be deducted all outgoings and expenses wholly and exclusively incurred during that period by such person in the production of the income including—

(a) such allowance as the Commissioner may consider just and reasonable as representing the amount by which the value of any buildings, machinery, plant or fixtures employed in acquiring the income has been diminished by reason of wear and tear arising out of their use in a trade or business, profession or vocation, provided that the allowance shall be made only to the person upon whom the burden of that wear and tear falls ;

(b) any contribution to a pension, provident or other society or fund which may be approved by the Commissioner subject to such conditions as he may attach or, if no conditions are attached, to the conditions prescribed ;

(c) bad debts incurred in any trade, business, profession or vocation, proved to the satisfaction of the Commissioner to have become bad during the period for which the income is being ascertained, and doubtful debts to the extent that they are respectively estimated to the satisfaction of the Commissioner to have become bad during the said period notwithstanding that such bad or doubtful debts were due and payable prior to the commencement of the said period :

Provided that—

(i) where in any period a deduction under this paragraph is to be made as respects any particular debt, and a deduction has in any previous period been allowed in respect of the same debt the appropriate reduction shall be made in the deduction to be made in the period in question ;

(ii) all sums recovered during the said period on account of amounts previously written off or allowed in respect of bad or doubtful debts shall for the purposes of this Law be treated as receipts of the trade, business, profession or vocation for that period ;

(iii) it is proved to the satisfaction of the Commissioner that the debts in respect of which a deduction is claimed either were included as a receipt of the trade, business, profession or vocation in the income of the year within which they were incurred, or were advances not falling within the provisions of paragraph (c) of section 14 made in the course of normal trading, business, profession or vocational operations ;

(d) such other deductions as may be prescribed.

(2) Conditions prescribed for, or attached to, the approval of a pension, provident or other society or fund under the provisions of sub-section (1) of this section may provide that any sum or the value of any benefit to which an employer becomes entitled at any time or to

which an employee becomes entitled whilst contributing thereto shall be treated as income of the employer or employee, as the case may be, from such source and of such period as may be determined by the conditions.

14. Except where otherwise expressly provided in this Law for the purpose of ascertaining the income of any person, no deduction shall be allowed in respect of— Deductions not allowed.

(a) domestic or private expenses ;

(b) any item of expenditure or of charge not being wholly and exclusively incurred in the production of the income ;

(c) any loss, diminution, exhaustion or withdrawal of capital or any sum employed or intended to be employed as capital, or any expenditure for a capital purpose ;

(d) any sum recoverable under any insurance, contract or indemnity ;

(e) rent of or cost of repairs to any premises not paid or incurred for the purpose of producing the income ;

(f) any amounts paid or payable as tax, or in respect of any tax of a similar nature on income, or any amounts paid or payable as a rate upon income ;

(g) any payment to any pension, provident or other society or fund, except such payments as are allowed under paragraph (b) of sub-section (1) of section 13.

15. (1) Where the Commissioner is of the opinion that any transaction or disposition which reduces or would reduce the amount of tax payable by any person is artificial or fictitious or that any disposition is not in fact given effect to, he may disregard any such transaction or disposition and give consequential directions with respect to any income otherwise affected by such transaction or disposition and the persons concerned shall be assessable accordingly. Commissioner may disregard certain transactions and dispositions.

In this sub-section the expression "disposition" includes any trust, grant, covenant, agreement or arrangement.

(2) For the purpose of this section, the following transactions or dispositions shall be deemed to be artificial or fictitious, namely, transactions or dispositions between persons one of whom either has control over the other or, is related to the other, which, in the opinion of the Commissioner have not been made on the terms which might fairly have been expected to have been made by independent persons engaged in the same or similar activities dealing with one another at arms length.

(3) Nothing in this section shall prevent any direction of the Commissioner in the exercise of any discretion given to him by this section from being questioned in an appeal against an assessment in accordance with Part X of this Law.

Agricultural  
profits.

16. The profits or gains of any period from any land used for agricultural purposes or from livestock shall, unless the Commissioner is satisfied to the contrary, be deemed to be the profits or gains which would be the profits or gains of that period if the land were cultivated or used or the livestock were dealt with, as the case may be, in the manner and up to the average standard of cultivation, use, or practice relating to the same prevailing in the neighbourhood.

Total  
Income.

17. (1) The total income of any person for any year of assessment shall be the amount of his total assessable income from all sources ascertained in accordance with the foregoing provisions of this Law, less any further deductions to be made or allowed in accordance with the provisions of this section.

(2) There shall be deducted—

(a) the amount of a loss incurred by him during the year of assessment in any trade, business, profession or vocation, which, if it had been a profit, would have been assessable under this Law :

Provided that no such deduction shall be made unless it is claimed in writing within twelve months after the end of the year of assessment ;

(b) the amount of a loss similarly incurred by him in any such trade, business, profession or vocation during any of the ten years preceding the year of assessment which has not been allowed against his assessable income of a prior year :

Provided that—

(i) in no circumstances shall the aggregate deduction from assessable income in respect of any such loss exceed the amount of such loss ; and

(ii) a deduction under this paragraph for any year of assessment shall not exceed the amount, if any, of the income, included in the total income for that year of assessment, from the trade, business, profession or vocation in which the loss was incurred and shall be made as far as possible from such amount of such income of the first year of assessment after that in which the loss was incurred, and, so far as it cannot be so made, then from such amount of such income of the next year of assessment, and so on ;

(iii) no deduction under this paragraph shall be made in respect of a loss incurred prior to the first day of April, 1956.

(3) For the purpose of sub-section (2) of this section, the loss incurred during any year of assessment shall be computed, where the Commissioner so decides, by reference to the year ending on a day in such year of assessment which would have been adopted under sub-section (2) of section 10 for the computation of income of the following year of assessment if a profit had arisen.

(4) (a) Where a claim has been made under the provisions of paragraph (a) of sub-section (2) of this section, then—

(i) if the Commissioner is satisfied that the amount of the claim should be allowed, in accordance with the provisions of this section, he may admit the claim ;

(ii) if the Commissioner is not satisfied with the amount of the claim he shall determine the claim in such amount as he thinks fit and shall give to the claimant notice of refusal to admit the claim as desired ; or

(iii) if the Commissioner is not satisfied that the claimant is entitled to make the claim he shall give to the claimant notice of refusal to admit the claim.

(b) Where a notice of refusal has been given under paragraph (a) of this sub-section, the provisions of sections 51, 52 and 53 shall apply accordingly with necessary modifications.

#### PART V.—CHARGEABLE INCOME AND PERSONAL RELIEFS

18. The chargeable income of any person for any year of assessment shall be his total income for that year less any deductions allowed in this Part. Chargeable income.

19. An African individual upon whom an assessment is made for and who was resident in the Region in the year of assessment, shall be allowed a deduction of one hundred pounds. Personal allowance.

20. Subject to the provisions of sub-section (2) and paragraph (a) of sub-section (3) of section 28, an African individual who was resident in the Region in the year of assessment who proves to the satisfaction of the Commissioner that in the year immediately preceding the year of assessment he had a wife or wives living with or maintained by him shall be allowed a deduction of one hundred pounds. Married allowance.

21. (1) An African individual resident in the Region in the year of assessment who proves to the Commissioner that in the year immediately preceding the year of assessment he maintained a child who was either under the age of sixteen years at any time within that year, or was receiving full time instruction at any university, college, school or other similar educational establishment or was serving under articles or indentures with a view to qualifying in a trade or profession shall be allowed a deduction, in respect of each such child, of forty pounds : Children's allowance.

Provided that—

(a) where such individual satisfies the Commissioner that a sum exceeding forty pounds was, during the year preceding the year of assessment, expended directly by him on the maintenance and education of such child elsewhere than in Nigeria there shall be allowed in addition to the deduction allowed under the main provisions of this sub-section a deduction equal to the total amount so expended but not exceeding two hundred and ten pounds in respect of each such child ;

(b) (i) any deduction granted under this section for any year of assessment in respect of a child who was entitled in his own right in the year preceding the year of assessment to an income exceeding sixty pounds shall be reduced by the amount of such income of that child ;

(ii) in calculating the income of the child for the purposes of this paragraph no account shall be taken of any income to which the child is entitled as the holder of a scholarship, bursary, or other similar educational endowment.

(2) (a) No deduction under this section shall be allowed to any individual in respect of more than four children.

(b) The total amount of the additional deductions allowed to an individual under the provisions of paragraph (a) of the proviso to subsection (1) of this section shall not exceed four hundred and twenty pounds.

(3) For the purposes of this section "child" includes a child legitimate according to customary law, a step-child or a child proved to the satisfaction of the Commissioner to have been adopted by the individual, but does not include an illegitimate child.

Life  
Assurance.

22. An African individual resident in the Region in the year of assessment who proves to the satisfaction of the Commissioner that in the year immediately preceding the year of assessment he made or had insurance on his life or on the life of his wife, with any insurance company, shall be allowed a deduction of the annual amount of the premium paid by him in that year for such insurance as aforesaid :

Provided that the aggregate amount of the deductions under this section shall not exceed an amount equal to one fifth part of the total income of such person for the year of assessment or one hundred pounds, whichever is the less.

Proof of  
claims.

23. Every person who claims a deduction under this Part shall make his claim on the proper form. Such deduction shall be granted if the claim contains such particulars and is supported by such documentary or other evidence as may be prescribed and by such other proof as the Commissioner may require.

#### PART VI.—RATES OF TAX, DOUBLE TAXATION AND RIGHTS OF DEDUCTION

Rate of tax.

24. Tax upon the chargeable income of a person for any year of assessment shall be charged and paid at the rate set out in the Schedule.

Additional  
tax in the  
event of  
default or  
omission.

25. (1) Any person who—

(a) makes default in furnishing a return in respect of any year of assessment shall be chargeable for such year of income with treble the amount of tax for which he is liable for that year under the provisions of section 24 ; or

(b) omits from his return for any year of assessment any amount which should have been included therein shall be chargeable with an amount of tax equal to twice the difference between the tax as

calculated in respect of a chargeable income by reference to the total income returned by him and the tax properly chargeable in respect of his chargeable income as determined after including the amounts omitted,

and shall be required to pay such amount of tax in addition to the tax properly chargeable in respect of his true chargeable income.

(2) If the Commissioner is satisfied that the default in rendering the return or any such omission was not due to any fraud or gross or wilful neglect, he shall remit the whole of the said treble or additional tax and in any other case may remit such part or all of the said treble or additional tax as he may think fit.

(3) The powers conferred upon the Commissioner by this section shall be in addition to any right conferred upon him to commence proceedings for such an offence under Part XII.

(4) Any person who in his return for any year of assessment deducts or sets off any amount the deduction or set-off whereof is not allowed under the provisions of this Law or shows as an expenditure or loss any amount which he has not in fact expended or lost, shall be deemed for the purpose of sub-section (1) of this section to have omitted such amount from his return.

26. (1) If the Governor in Council by order declares that arrangements specified in the order have been made with the Government of any other Region or of any territory outside Nigeria with a view to affording relief from double taxation in relation to tax imposed under the provisions of this Law and any tax of a similar character imposed by the laws of that Region or territory, and that it is expedient that those arrangements should have effect, then the arrangements shall have effect, notwithstanding anything in any enactment.

Double  
taxation  
arrange-  
ments.

(2) Where any arrangements have effect by virtue of this section, the obligation to secrecy imposed by section 4 shall not prevent the disclosure to any authorised officer of the Government with which the arrangements are made, of such information as is required to be disclosed under the arrangements.

(3) Any order made under the provisions of sub-section (1) of this section may include provisions for the relief from tax for periods commencing or terminating before the making of the order and provisions as to income which is not itself liable to double taxation.

(4) The Governor in Council may make rules for carrying out the provisions of any arrangements having effect under this section.

(5) In this section "Region" includes the Southern Cameroons or Lagos.

27. (1) Any tax applicable to the share to which any person is entitled in the income of a body of persons or in the income of the estate of a deceased person shall, when that share is included in the assessable income of any person for any year of assessment, be set off for the purpose of collection against the tax charged by reference to such assessable income :

Allowances  
for tax paid  
on share in  
estates, etc.

Provided that—

(a) where the tax so charged has been paid the amount of the tax to be set off shall be repaid ;

(b) where the amount of the tax to be set off exceeds the amount of the tax so charged the excess shall be repaid.

(2) (a) Any claim to a set-off or repayment of tax under the foregoing provisions of this section shall be made in writing not later than twelve months after the end of the said year of assessment.

(b) If the claimant fails to agree with the Commissioner as to the amount of any such set-off or repayment, the Commissioner shall give him notice of refusal to admit the claim and the provisions of sections 51, 52 and 53 shall apply accordingly with any necessary modifications.

#### PART VII.—PERSONS CHARGEABLE

##### A.—*Husband and Wife*

Wife's  
income.

28. (1) Subject to the provisions of this section, the income of an African individual who is a married woman living with her husband shall, for the purposes of this Law, be deemed to be the income of the husband and shall be charged in the name of the husband and not in her name nor in that of her trustee :

Provided that that part of the total amount of tax charged upon the husband which bears the same proportion to that total amount as the amount of the total income of the wife bears to the amount of the total income of the husband and wife may, if necessary, be collected from the wife notwithstanding that no assessment has been made upon her.

(2) If an application in writing is made to the Commissioner, either by the husband or any wife of his, before the 30th of April in the year of assessment, for separate assessment for that year, the husband and the wife, by or in respect of whom the application is made, shall be treated as not married for the purpose of ascertaining their respective incomes, of whatever periods, for the separate assessment of their incomes for that year, and the tax thereon shall be separately assessed, charged and recovered from the husband and that wife respectively ; and for the purpose of allowances under sections 20, and 22, the husband and that wife shall be treated as not married in the year preceding that year of assessment but that wife shall not be entitled to any allowances under the provisions of section 21 in respect of any child maintained in that year.

(3) (a) An application duly made by a husband or a wife under the preceding sub-section shall have effect not only as respects the year of assessment for which it is made but also for any subsequent year of assessment.

(b) A person who has made application in accordance with sub-section (2) of this section for any year of assessment, may for any subsequent year of assessment by notice in writing given to the Commissioner not later than the thirtieth day of April in that subsequent year withdraw his application.

(4) When a married woman is not living with her husband each spouse shall for all purposes of this Law be treated as if he or she were unmarried.

(5) For the purposes of this Law a married woman shall be treated as living with her husband unless—

(a) they are separated under an order of court of competent jurisdiction or by deed of separation ; or

(b) they are in fact separated in such circumstances that the separation is likely to be permanent ; or

(c) she is resident in the Region and her husband is not resident in the Region.

*B.—Trustees, Agents, etc.*

29. A receiver appointed by the court, a trustee, guardian, curator, or committee, having the direction, control, or management of any property or concern on behalf of any incapacitated person shall be chargeable to tax in like manner and to the like amount as such person would be chargeable if he were not an incapacitated person :

Chargeability of trustees and other representatives.

Provided that this section shall not be construed to make any person chargeable to tax in respect of an incapacitated person, liable, in such respect, for a greater amount of tax than that for which the incapacitated person would have been liable had no receiver, trustee, guardian, curator or committee been appointed.

30. A person who is chargeable in respect of an incapacitated person, or in whose name a non-resident is chargeable, shall be answerable for all matters required to be done by virtue of this Law for the assessment of the income of any person for whom he acts and for paying the tax chargeable thereon.

Acts to be done by trustees.

31. Every person answerable under this Law for the payment of tax on behalf of another person may retain out of any money coming to his hands on behalf of such other person so much thereof as shall be sufficient to pay such tax ; and shall be and is hereby indemnified against any person whatsoever for all payments made by him in pursuance and by virtue of this Law.

Indemnification of representatives.

32. (1) (a) A person not resident in the Region (hereinafter in this section referred to as a non-resident person) shall be assessable and chargeable to tax either directly or in the name of his trustee, guardian, or committee, or of any attorney, factor, agent, receiver, branch, or manager, whether such attorney, factor, agent, receiver, branch, or manager has the receipt of the income or not, in like manner and to the like amount as such non-resident person would be assessed and charged if he were resident in the Region and in the actual receipt of such income.

Chargeability of agent of person residing out of the Region.

Provided that—

(a) where the tax so charged has been paid the amount of the tax to be set off shall be repaid ;

(b) where the amount of the tax to be set off exceeds the amount of the tax so charged the excess shall be repaid.

(2) (a) Any claim to a set-off or repayment of tax under the foregoing provisions of this section shall be made in writing not later than twelve months after the end of the said year of assessment.

(b) If the claimant fails to agree with the Commissioner as to the amount of any such set-off or repayment, the Commissioner shall give him notice of refusal to admit the claim and the provisions of sections 51, 52 and 53 shall apply accordingly with any necessary modifications.

#### PART VII.—PERSONS CHARGEABLE

##### A.—*Husband and Wife*

Wife's  
income.

28. (1) Subject to the provisions of this section, the income of an African individual who is a married woman living with her husband shall, for the purposes of this Law, be deemed to be the income of the husband and shall be charged in the name of the husband and not in her name nor in that of her trustee :

Provided that that part of the total amount of tax charged upon the husband which bears the same proportion to that total amount as the amount of the total income of the wife bears to the amount of the total income of the husband and wife may, if necessary, be collected from the wife notwithstanding that no assessment has been made upon her.

(2) If an application in writing is made to the Commissioner, either by the husband or any wife of his, before the 30th of April in the year of assessment, for separate assessment for that year, the husband and the wife, by or in respect of whom the application is made, shall be treated as not married for the purpose of ascertaining their respective incomes, of whatever periods, for the separate assessment of their incomes for that year, and the tax thereon shall be separately assessed, charged and recovered from the husband and that wife respectively ; and for the purpose of allowances under sections 20, and 22, the husband and that wife shall be treated as not married in the year preceding that year of assessment but that wife shall not be entitled to any allowances under the provisions of section 21 in respect of any child maintained in that year.

(3) (a) An application duly made by a husband or a wife under the preceding sub-section shall have effect not only as respects the year of assessment for which it is made but also for any subsequent year of assessment.

(b) A person who has made application in accordance with sub-section (2) of this section for any year of assessment, may for any subsequent year of assessment by notice in writing given to the Commissioner not later than the thirtieth day of April in that subsequent year withdraw his application.

(4) When a married woman is not living with her husband each spouse shall for all purposes of this Law be treated as if he or she were unmarried.

(5) For the purposes of this Law a married woman shall be treated as living with her husband unless—

(a) they are separated under an order of court of competent jurisdiction or by deed of separation ; or

(b) they are in fact separated in such circumstances that the separation is likely to be permanent ; or

(c) she is resident in the Region and her husband is not resident in the Region.

#### B.—Trustees, Agents, etc.

29. A receiver appointed by the court, a trustee, guardian, curator, or committee, having the direction, control, or management of any property or concern on behalf of any incapacitated person shall be chargeable to tax in like manner and to the like amount as such person would be chargeable if he were not an incapacitated person :

Chargeability of trustees and other representatives.

Provided that this section shall not be construed to make any person chargeable to tax in respect of an incapacitated person, liable, in such respect, for a greater amount of tax than that for which the incapacitated person would have been liable had no receiver, trustee, guardian, curator or committee been appointed.

30. A person who is chargeable in respect of an incapacitated person, or in whose name a non-resident is chargeable, shall be answerable for all matters required to be done by virtue of this Law for the assessment of the income of any person for whom he acts and for paying the tax chargeable thereon.

Acts to be done by trustees.

31. Every person answerable under this Law for the payment of tax on behalf of another person may retain out of any money coming to his hands on behalf of such other person so much thereof as shall be sufficient to pay such tax ; and shall be and is hereby indemnified against any person whatsoever for all payments made by him in pursuance and by virtue of this Law.

Indemnification of representatives.

32. (1) (a) A person not resident in the Region (hereinafter in this section referred to as a non-resident person) shall be assessable and chargeable to tax either directly or in the name of his trustee, guardian, or committee, or of any attorney, factor, agent, receiver, branch, or manager, whether such attorney, factor, agent, receiver, branch, or manager has the receipt of the income or not, in like manner and to the like amount as such non-resident person would be assessed and charged if he were resident in the Region and in the actual receipt of such income.

Chargeability of agent of person residing out of the Region.

(b) A non-resident person shall be assessable and chargeable in respect of any income arising, whether directly or indirectly, through or from any attorneyship, factorship, agency, receivership, branch, or management, and shall be so assessable and chargeable in the name of the attorney, factor, agent, receiver, branch, or manager.

(2) Where a non-resident person carries on business with a resident person, and it appears to the Commissioner that owing to the close connexion between the resident person and the non-resident person and to the substantial control exercised by the non-resident person over the resident person the course of business between those persons can be so arranged and is so arranged that the business done by the resident person in pursuance of his connexion with the non-resident person produces to the resident person either no profits or less than the ordinary profits which might be expected to arise from that business, the non-resident person shall be assessable and chargeable to tax in the name of the resident person as if the resident person were an agent of the non-resident person.

Power to  
appoint  
agent.

33. (1) The Commissioner may by notice in writing, if he thinks it necessary declare any person to be the agent of any other person (whether resident or non-resident) and the person so declared the agent shall be the agent of such other person for the purpose of this Law, and may be required to pay any tax which is or will be payable from any moneys, including pensions, salary, wages or any other remuneration, which may be held by him for, or due by him to, the person whose agent he has been declared to be, and in default of such payment the tax shall be recoverable from him in the manner provided by section 63.

Power to  
require  
information.

(2) For the purposes of this section the Commissioner may require any person to give him information as to any moneys, funds or other assets which may be held by him for, or of any moneys due by him to, any other person.

Appeal.

(3) The provisions of sections 51, 52 and 53 shall apply *mutatis mutandis* where any person declared by the Commissioner to be the agent of any other person under the provisions of sub-section (1) of this section is aggrieved by such declaration.

Deceased  
persons.

34. Where a person dies, then as respects income arising before his death all rights and duties which would have attached to him, and any liability to be charged with or to pay tax to which he would have been subject under this Law if he had not died, shall pass to his executor, and the amount of any tax payable by the executor under this section shall be a debt due from and payable out of the estate of the deceased :

Provided that—

(a) any assessment or additional assessment on any such income shall not be made later than the end of the third year following that in which the person died ;

(b) in the case of a person dying during the year before the year of assessment, if his executor distributes the estate before the commencement of the year of assessment such executor shall pay any tax for that year of assessment at the rate or rates in force at the date of distribution of the estate, if the rate of tax for that year of assessment has not been varied at that date.

### C.—Partnership

35. Where a trade, business, profession, or vocation is carried on by two or more African individuals in partnership—

Ascertainment of income from partnership.

(a) the income or loss of the partnership of any accounting period of the partnership shall be ascertained in accordance with the provisions of sections 13 to 16 inclusive as if the partnership was a single individual ;

(b) the income or loss so ascertained shall, subject to any direction under section 15, be apportioned between the partners in the same proportions in which they are entitled to share in any partnership income or loss respectively of that period ;

(c) to the amount of the income or from the loss so apportioned to any partner there shall be added or deducted respectively any amount expended out of partnership monies on his behalf during that period which would have been disallowed under section 14, in computing the income or loss under paragraph (a) of this section, if the partner had been the individual mentioned in that paragraph ;

(d) the amount of the income or loss of a partner, ascertained under the foregoing provisions of this section, of any period shall be deemed to be his income or loss of that period from a trade, business, profession or vocation carried on by him during that period for all the purposes of this Law, except the provisions of sections 13 to 16 inclusive, and for the purposes of section 11 that partner shall be deemed to have commenced and ceased to carry on that trade respectively at the beginning of the first period and at the end of the last period respectively taken for the application of this section to that partner ;

Provided that where such partner is a partner in a succession of partnerships carrying on the same trade, business, profession or vocation this section shall apply to that partner as if there was one continuing partnership in which he is a partner ;

(e) any partner resident in the Region or any agent, resident in the Region, of any partnership, shall, when required to do so by any notice given by the Commissioner, within the period limited by such notice, make and deliver a return of income of the partnership of any accounting period and declare therein the names and addresses of the partners and the proportions in which they were entitled to share in that income ; and

(f) the income of any person who is a non-resident partner from the partnership shall be assessable in the name of the partner or of any resident partner or of any agent of the partnership in the Region,

and the tax charged thereon shall be recoverable by all means provided in this Law out of the assets of the partnership or from any such agent.

#### PART VIII.—RETURNS

Notice of chargeability and returns.

36. (1) Every person chargeable with tax for any year of assessment, when required to do so by any notice in writing given by the Commissioner in pursuance of this Law, shall, within the period limited by such notice, and in the form of return contained in such notice, prepare and deliver to the Commissioner a true and correct statement in writing containing—

(a) the amount of his income from each and every source, for such period or periods, as are indicated in such form, computed in accordance with the provisions of this Law and any rules made thereunder ; and

(b) such particulars as, by such form of return, may be required for the purposes of this Law and of such rules, with respect to any such income, allowances, reliefs, deductions or otherwise as may be material under or by virtue of the provisions of this Law and such rules.

(2) Every person chargeable with tax for any year of assessment who has not been required within three months after the commencement of such year of assessment to make a return of his income for that year as provided in sub-section (1) of this section shall within fourteen days after the expiration of that period give notice to the Commissioner that he is so chargeable.

Commissioner may call for further returns.

37. The Commissioner may give notice in writing to any person when and as often as he thinks necessary requiring him to furnish within a reasonable time limited by such notice fuller or further returns respecting any matter as to which a return is required or prescribed by this Law.

Power to call for returns, books, etc.

38. (1) For the purpose of obtaining full information in respect of any part of the income of any person, the Commissioner may by notice in writing, require that person or the manager or principal officer in the Region of any company to produce for examination at such time and such place as may be specified in the notice any deeds, books, accounts, trade or stock-lists, returns or other documents which the Commissioner may consider necessary.

(2) The Commissioner may by notice in writing require any person entitled to or in receipt of any income, whether on his own behalf or as representative of any person, or the manager or principal officer in the Region of any company whom the Commissioner may consider able to furnish information on such matters to attend at a time and place to be named by the Commissioner for the purpose of being examined respecting the income of such person or any transactions or matters appearing to be relevant thereto.

46. If the Commissioner discovers or is of the opinion at any time that any person liable to tax has not been assessed or has been assessed at a less amount than that which ought to have been charged, he may within the year of assessment or within six years after the expiration thereof assess such person at such amount or additional amount, as according to his judgment ought to have been charged, and the provisions of this Law as to notice of assessment, appeal and other proceedings under this Law shall apply to such assessment or additional assessment and to the tax charged thereunder :

Additional assessments.

Provided that where any fraud or wilful default has been committed by or on behalf of any person in connection with or in relation to tax for any year of assessment, the Commissioner may, for the purpose of making good to the revenue of the Region any loss of tax attributable to the fraud or wilful default, exercise the powers conferred by this section at any time, whether before or after the expiration of the period specified in this section.

47. (1) The Commissioner shall as soon as possible prepare lists of persons assessed to tax.

Lists of persons assessed and notice of assessment.

(2) Such lists, herein called the assessment lists, shall contain the names and the addresses of the persons assessed to tax, the amount of the chargeable income of each person, the amount of tax payable by him, and such other particulars as may be prescribed.

(3) Where complete copies of all notices of assessment are filed in the office of the Commissioner those notices, as from time to time amended in accordance with the provisions of this Law, shall constitute the assessment lists for the purposes of this Law.

48. (1) The Commissioner shall cause to be served personally on or sent by registered post to each person assessed a notice of assessment stating the amount of his chargeable income, the tax payable by him, the place at which such payment should be made, and informing him of his rights under the next sub-section.

Service of notice of assessment.

(2) If any person disputes the assessment he may apply to the Commissioner, by notice of objection in writing, to review and to revise the assessment made upon him. Such application shall state precisely the grounds of his objections to the assessment and shall be made within thirty days from the date of the service of the notice of assessment :

Revision of assessment in case of objection.

Provided that the Commissioner, upon being satisfied that owing to absence from Nigeria, sickness or other reasonable cause, the person disputing the assessment was prevented from making the application within such period, may extend the period as may be reasonable in the circumstances.

(3) On receipt of the notice of objection referred to in sub-section (2) of this section, the Commissioner may require the person giving notice of objection to furnish such particulars as the Commissioner may deem necessary with respect to the income of the person assessed and

to produce all books or other documents in his custody or under his control relating to such income, and may summon any person who he thinks is able to give evidence respecting the assessment to attend before him and may examine such person (except the clerk, agent, servant, or other person confidentially employed in the affairs of the person to be charged) on oath or otherwise.

(4) In the event of any person assessed, who has objected to an assessment made upon him, agreeing with the Commissioner as to the amount at which he is liable to be assessed, the assessment shall, if the agreement is for a revised assessment, be amended accordingly, and, whether or not the agreement is for a revised assessment, notice of the tax payable shall be served upon such person.

(5) Where an applicant for revision of an assessment under sub-section (2) of this section fails to agree with the Commissioner the amount at which he is liable to be assessed, the Commissioner shall give him notice of refusal to amend the assessment as desired by that person and may revise the assessment to such amount as the Commissioner may, according to the best of his judgment, determine and give him notice of the revised assessment and the tax payable together with notice of refusal to amend the revised assessment, and any reference in this Law to an assessment or an additional assessment shall include a reference to an assessment or additional assessment as revised under the provisions of this sub-section.

Errors and defects in assessment and notice.

49. (1) No assessment, warrant or other proceeding purporting to be made in accordance with the provisions of this Law shall be quashed, or deemed to be void and voidable for want of form, or be affected by reason of a mistake, defect or omission therein, if the same is in substance and effect in conformity with or according to the intent and meaning of this Law or any Law amending the same, and if the person assessed or intended to be assessed or affected thereby is designated therein according to common intent and understanding.

(2) An assessment shall not be impeached or affected—

(a) by reason of a mistake therein as to—

(i) the name or surname of a person liable ; or

(ii) the description of any income ; or

(iii) the amount of tax charged ;

(b) by reason of any variance between the assessment and the notice thereof.

#### PART X.—APPEALS

Appointment of local committees.

50. (1) The Minister may, by notice in the Gazette, appoint for any area specified in such notice a local committee consisting of one or more persons for the purpose of hearing appeals in accordance with section 51.

(3) No requirement shall be made in exercise of the powers conferred by this section to a company engaged in the business of banking, or to the manager or officer of any such company.

39. A return, statement or form purporting to be furnished under this Law by or on behalf of any person shall for all purposes be deemed to have been furnished by that person or by his authority, as the case may be, unless the contrary is proved, and any person signing any such returns, statement or form shall be deemed to be cognisant of all matters therein.

Returns to be deemed to be furnished by due authority.

40. (1) If a person chargeable with tax fails or refuses to keep books or accounts which, in the opinion of the Commissioner, are adequate for the purposes of tax, the Commissioner may by notice in writing require him to keep such records, books and accounts as the Commissioner considers to be adequate in such form and in such language as he may in the said notice direct.

Books of account.

(2) Any person aggrieved by a notice served under sub-section (1) of this section may within thirty days of the date of service of such notice on him, by notice of motion, appeal to a judge of the High Court for the withdrawal or amendment of such notice.

41. (1) The Commissioner may require any officer in the employment of the Government of the Region or of any other public body to supply such particulars as may be required for the purposes of this Law and which may be in the possession of such officer :

Official information and official secrecy

Provided that no such officer shall by virtue of this section be obliged to disclose any particulars as to which he is under any statutory obligation to observe secrecy.

(2) Every employer when required to do so by notice from the Commissioner shall, within the time limited by the notice, prepare and deliver for any year or other period a return containing—

Returns to be made by employer.

(a) the names and places of residence of all persons employed by him ; and

(b) the full amount of remuneration, whether in cash or otherwise, paid or payable to those persons in respect of that employment.

(3) Where the employer is a company or an incorporated body the manager or other principal officer of the company or body in the Region shall be deemed to be the employer for the purposes of this section, and any director of a company or person engaged in the management of a company shall be deemed to be a person employed.

(4) Every person, other than a company engaged in the business of banking or a person who is under a statutory obligation of secrecy, who may be so required by the Commissioner, shall give orally or in writing, as may be required, all such information as may be demanded by the Commissioner for the purpose of enabling the Commissioner to make an assessment or to collect the tax.

Returns to be furnished of income received on account of, or paid to other persons.

42. Where any person, other than a company engaged in the business of banking, in any capacity whatever—

(a) receives any profit or income to which this Law applies and which belongs to some person who is assessable and chargeable in respect thereof ;

(b) pays to some person or to his order, any such profit or income, the Commissioner may give notice to such first mentioned person requiring him to furnish within the time limited by such notice not being less than fifteen days from the date of service of such notice, a return containing—

(i) a true and correct statement of such profits and income ; and

(ii) the name and address of every person to whom they belong.

Occupiers to furnish returns of rent payable.

43. The Commissioner may give notice in writing to any person who is the occupier of any land requiring him to furnish within the time limited by such notice, not being less than fifteen days from the date of service of such notice, a return containing—

(a) the name and address of the owner of such land ; and

(b) a true and correct statement of the rent payable and any other consideration passing therefor.

Return of lodgers and inmates.

44. The Commissioner may give notice in writing to any person requiring him within the time limited by such notice not being less than fifteen days from the date of service of such notice, to furnish a return containing the name of every lodger or inmate who is at the date of the notice resident in his house, hotel or institution.

#### PART IX.—ASSESSMENTS

Commissioner to make assessments.

45. (1) The Commissioner shall proceed to assess every person chargeable with tax as soon as may be after the expiration of the time allowed to such person for the delivery of the return provided for in section 36.

(2) Where a person has delivered a return the Commissioner may—

(a) accept the return and make an assessment accordingly ;

(b) refuse to accept the return and, to the best of his judgment, determine the amount of the chargeable income of such person and make an assessment accordingly.

(3) When a person has not delivered a return and the Commissioner is of the opinion that such person is liable to pay tax, he may, according to the best of his judgment, determine the amount of the chargeable income of such person and make an assessment accordingly, but such assessment shall not affect any liability otherwise incurred by such person by reason of his failure or neglect to deliver a return.

(4) Where the Commissioner is satisfied that a person is liable to pay tax, he may determine the amount of the chargeable income of such person and make an assessment accordingly without calling on that person to render a return of his income.

payable in accordance with sub-section (5) of section 48, and if it is not so paid, proceedings may be taken for its recovery in accordance with section 63.

(2) Where, in any case, the amount of the assessment as finally determined by the decision of the committee or the court is altered, then—

(a) if too much tax has been paid, the amount overpaid shall be refunded with such interest, if any, as may be prescribed ;

(b) if no tax or too little tax has been paid, the amount unpaid shall be paid and recoverable in accordance with the provisions of Part XI :

Provided that if, at the determination of the appeal, proceedings are pending in any court for the recovery of any amount of tax due under the provisions of sub-section (1) of this section, any balance of tax outstanding and not the subject of those proceedings shall be paid and recoverable in accordance with Part XI.

55. Except as expressly provided in this Law, where no valid objection or appeal has been lodged within the time limited by this Part against an assessment as regards the amount of the chargeable income assessed thereby, or where the amount of chargeable income has been agreed to under sub-section (4) of section 48, or where the amount of such chargeable income has been determined on objection, revision or appeal, the assessment as made, or agreed to, shall be final and conclusive for all purposes of this Law as regards the amount of such chargeable income :

Assessments to be final and conclusive.

Provided that nothing in this Part shall prevent the Commissioner from making any refund under the provisions of section 65 or any assessment or additional assessment for any year of assessment which does not involve reopening any issue, on the same facts, which has been determined on objection or appeal for that year.

#### PART XI.—COLLECTION, RECOVERY AND REPAYMENT, OF THE TAX

56. Collection of tax shall in cases where notice of an objection has been given remain in abeyance until such objection is determined :

Proceeding in cases where objection is pending.

Provided that the Commissioner may in any such case enforce payment of that portion of the tax (if any) which is not in dispute.

57. Subject to the provisions of sections 56, 59, 60, 61 and 62, tax for any year of assessment shall be payable at the place stated in the notice of assessment under section 48, within two months after the service of such notice :

Time within which payment is to be made.

Provided that—

(a) if one-half of the tax due from any person is paid by him within the period aforesaid and that period ends before the thirty-first day of March within the year of assessment, the balance of the tax due may be paid at any time not later than the said thirty-first day of March ;

(b) the Commissioner in his discretion may extend the time within which payment is to be made.

Penalty for non-payment of tax and enforcement of payment.

58. (1) Subject to the provisions of sub-section (2) of this section, if any tax is not paid within the period prescribed in section 57 or 60, as the case may be—

(a) a sum equal to ten per cent of the amount of the tax in default shall be added thereto, and the provisions of this Law relating to the collection and recovery of tax shall apply to the collection and recovery of such sum as if it were part of the tax in default ;

(b) the Commissioner shall serve a demand note on the person assessed, and if payment is not made within thirty days from the date of service of such demand note, the Commissioner may proceed to enforce payment as hereinafter provided :

(c) a penalty imposed under this section shall not be deemed to be part of the tax paid for the purpose of claiming relief under any of the provisions of this Law.

(2) The Commissioner may for good cause shown remit the whole or any part of the penalty due under this section or may decide that no penalty shall be imposed.

Payment of tax by persons about to leave the Region.

59. (1) If in any particular case the Commissioner has reason to believe that a person who has been assessed to tax may leave the Region before such tax becomes payable without having paid such tax, he may by notice in writing to such person demand payment of such tax within the time to be limited in such notice. Such tax shall thereupon be payable at the expiration of the time so limited and shall in default of payment, unless security for payment thereof be given to the satisfaction of the Commissioner, be recoverable forthwith.

(2) If in any particular case the Commissioner has reason to believe that tax upon any chargeable income may not be recovered, he may at any time and as the case may require—

(a) forthwith by notice in writing require any person to make a return and to furnish particulars of any such income within the time to be specified in such notice ;

(b) make an assessment upon such person in the amount of the income returned, or if default is made in making such return or if the Commissioner is dissatisfied with such return, in such amount as the Commissioner may think reasonable ;

(c) by notice in writing to the person assessed require that security for the payment of the tax assessed be forthwith given to the Commissioner's satisfaction.

(3) If in any particular case the Commissioner has reason to believe that tax upon any income chargeable to such tax may not be recovered, he may at any time—

(2) The Minister may, without assigning a reason, revoke the appointment of any member of a local committee and may appoint new members wherever necessary.

(3) A local committee shall appoint one of its members to be chairman and every decision of the committee shall be signified under the hand of the chairman.

(4) The members of a local committee shall be entitled to receive such remuneration and allowances as the Minister may determine.

51. (1) Any person who, being aggrieved by an assessment upon him, has failed to agree with the Commissioner in the manner provided in section 48 may, upon giving notice in writing within thirty days from the date of refusal of the Commissioner to amend the assessment as desired or as revised, appeal against the assessment to the local committee for the area in which he resides :

Appeals to  
local  
committees.

Provided that, notwithstanding the lapse of such period of thirty days, any person may appeal against the said assessment if he shows to the satisfaction of the local committee that, owing to absence from Nigeria, sickness or other reasonable cause he was prevented from giving notice of appeal within such period, and that there has been no unreasonable delay on his part.

(2) Every person appealing shall appear before the local committee in person on the day and at the time fixed for the hearing of the appeal.

(3) The provisions of sub-sections (5), (6), (7) and (8) of section 52 shall apply in relation to an appeal under this section as they apply in relation to an appeal under section 52 but as if references to a judge of the High Court in those sub-sections were references to the local committee.

(4) Subject to the provisions of this section, the Minister may make rules prescribing the procedure to be followed in the conduct of appeals before local committees.

52. (1) Any person who, being aggrieved by an assessment made upon him, has failed to agree with the Commissioner in the manner provided in section 48 or having appealed to a local committee is aggrieved by the decision of that committee, may appeal against the assessment to a judge of the High Court upon giving notice in writing to the Commissioner within the period specified in sub-section (10) of this section.

Appeals to  
the courts.

(2) The Commissioner may, if he is dissatisfied with the decision of a local committee, appeal against the decision to a judge of the High Court upon giving notice in writing to the other party to the appeal under section 51 within thirty days after the date of such decision, and the provisions of this section so far as they are applicable shall apply to any such appeal by the Commissioner.

(3) Every person appealing shall attend before the court in person on the day and at the time fixed for the hearing of his appeal :

Provided that if it be proved to the satisfaction of the judge that owing to absence from Nigeria, sickness or other reasonable cause, any person is prevented from attending in person at the hearing of his appeal on the day and at the time fixed for that purpose, the judge may postpone the hearing of the appeal for such reasonable time as he thinks necessary for the attendance of the appellant, or he may admit the appeal to be made by any agent, clerk or servant of the appellant, on his behalf or by way of written statement.

(4) Seven clear days notice shall, unless rules hereunder otherwise provide, be given to the parties of the date fixed for the hearing of the appeal.

(5) All appeals shall be heard in camera, unless the judge shall, on the application of the appellant, otherwise direct.

(6) The onus of proving that the assessment complained of is excessive shall be on the person assessed.

(7) The judge may confirm, reduce, increase or annul the assessment or make such order thereon as to him may seem fit.

(8) Notice of the amount of tax payable under the assessment as determined by the judge shall be served by the Commissioner either personally on, or by registered post, to the appellant.

(9) The costs of the appeal shall be in the discretion of the judge hearing the appeal and shall be a sum fixed by the judge.

(10) The period within which notice of appeal shall be given, for the purposes of sub-section (1) of this section, shall be—

(a) in the case of an appeal against assessment after notice of refusal under section 48 has been given by the Commissioner, within thirty days after service upon the appellant of that notice ;

(b) in the case of an appeal against the decision of a local committee, within thirty days after that decision.

Rules.

(11) The Chief Justice may make rules providing for the method of tendering evidence before a judge on appeal, the conduct of such appeals and the procedure to be followed.

Further  
appeal  
to Federal  
Supreme  
Court.

53. An appeal against the decision of a judge of the High Court shall lie to the Federal Supreme Court—

(a) at the instance of the appellant where the decision of the judge is in respect of a matter in which the assessable income as determined by the judge was in the sum of one thousand pounds or upwards ;

(b) at the instance of the Commissioner where the decision of the judge is in respect of a matter in which the Commissioner claims that the correct assessment of the assessable income was in the sum of one thousand pounds or upwards.

Tax to be  
paid pending  
appeal.

54. (1) Notwithstanding that an appeal is pending before a local committee or a court tax shall be paid in accordance with the assessment of the Commissioner within one month of notification of the tax

the agreement shall thereupon cease to have effect and the Commissioner may recover the tax outstanding in accordance with the provisions of this Part and recover any penalty as if it were tax not paid within the period prescribed in section 57.

63. (1) Tax may be sued for and recovered in a court of competent jurisdiction by the Commissioner in his official name with full costs of suit from the person charged therewith as a debt due to the Government of the Region. Suit for tax by Commissioner.

(2) For the purposes of this section a court of competent jurisdiction shall include a magistrates court, which court is hereby invested with the necessary jurisdiction, provided that the amount claimed in any suit does not exceed the amount of the jurisdiction of the magistrate concerned, under the provisions of section 18 of the Magistrates' Courts (Western Region) Law, 1954, with respect to personal suits.

(3) In any suit under sub-section (1) of this section the production of a certificate signed by the Commissioner giving the name and address of the defendant and the amount of tax due by him shall be sufficient evidence of the amount so due and sufficient authority for the court to give judgment for the said amount.

64. (1) The Commissioner may remit, wholly or in part, the tax payable by any person on the ground of poverty. Remission of tax.

(2) The Governor in Council may remit, wholly or in part, the tax payable by any person if he is satisfied that it will be just and equitable to do so.

65. (1) If it be proved to the satisfaction of the Commissioner that any person for any year of assessment has paid tax, by deduction or otherwise, in excess of the amount with which he is properly chargeable, such person shall be entitled to have the amount so paid in excess refunded. Repayment of tax.

(2) Every claim for repayment under this section shall be made within seven years from the end of the year of assessment to which the claim relates. The Commissioner shall give a certificate of the amount to be repaid and upon the receipt of the certificate the Accountant-General of the Region shall cause repayment to be made in conformity therewith.

#### PART XII—OFFENCES AND PENALTIES

66. (1) Any person guilty of an offence against this Law, or any person who contravenes or fails to comply with any of the provisions of this Law or of any rule made thereunder for which no other penalty is specifically provided, shall be liable on conviction to a fine of one hundred pounds, and where such offence is the failure arising from the provisions of Part VIII or sub-section (3) of section 48 to furnish a return, statement or information or to keep records required, a further sum of five pounds for each and every day during which such failure Penalty for offences.

continues, and in default of payment to imprisonment for six months, the liability for such further sum to commence from the day following the conviction, or from such day thereafter as the court may order.

(2) Any person who—

(a) fails to comply with the requirements of a notice served on him under this Law ; or

(b) without sufficient cause fails to attend in answer to a notice or summons served on him under this Law or having attended fails to answer any question lawfully put to him,

shall be guilty of an offence against this Law.

Penalty for making incorrect return.

67. (1) Every person who without reasonable excuse—

(a) makes an incorrect return by omitting or understating any income of which he is required by this Law to make a return ; or

(b) gives any incorrect information in relation to any matter or thing affecting his own liability to tax or the liability of any other person or of a partnership,

shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds and double the amount of tax which has been undercharged in consequence of such incorrect return or information, or would have been so undercharged if the return or information had been accepted as correct.

(2) No person shall be liable to any penalty under this section unless the complaint concerning such offence was made in the year of assessment in respect of or during which the offence was committed or within six years after the expiration thereof.

(3) The Commissioner may compound any offence under this section, and may before judgment stay or compound any proceedings thereunder.

False statements and returns.

68. (1) Any person who—

(a) for the purpose of obtaining any deduction, rebate, reduction or repayment in respect of tax for himself or for any other person, or who in any return, account or particulars made or furnished with reference to tax, knowingly makes any false statement or false representation, or forges, or fraudulently alters or uses, or fraudulently lends, or allows to be used by any other person any receipt or token evidencing payment of the tax under this Law ; or

(b) aids, abets, assists, counsels, incites or induces any other person—

(i) to make or deliver any false return or statement under this Law ; or

(ii) to keep or prepare any false accounts or particulars concerning any income on which tax is payable under this Law ; or

(iii) unlawfully to refuse or neglect to pay tax,

(a) by notice in writing to the person by whom the tax would be payable determine a period for which tax shall be charged and require such person to render within the time specified therein returns and particulars of such income for that period ;

(b) make an assessment upon such person in the amount of the income returned, or if default is made in making a return or if the Commissioner is dissatisfied with such return, in such amount as the Commissioner may think reasonable.

(4) Notice of assessment made in accordance with the provisions of sub-sections (2) and (3) of this section shall be given to the person assessed, and any tax so charged shall be payable on demand made in writing under the hand of the Commissioner, and shall in default of payment, unless security for the payment thereof be given to the satisfaction of the Commissioner, be recoverable forthwith.

(5) Any person who has paid the tax in accordance with a demand made by the Commissioner or who has given security for such payment under this section shall have the right of objection and appeal conferred by sections 48, 51, 52 and 53, and any amount paid by him shall be adjusted in accordance with the result of any such objection or appeal.

(6) The provisions of this section shall not affect the powers conferred upon the Commissioner by section 46.

60. (1) Where payment of tax in whole or in part has been held over pending the result of a notice of objection the tax outstanding under the assessment as determined on such objection shall be payable within one month from the date of service on the person assessed of the notification of the tax payable in accordance with sub-section (4) or (5) of section 48.

Collection of tax after determination of objection or appeal.

(2) Where, after determination of an appeal, any tax is outstanding under the assessment as so determined that tax shall, except in the case of any amount in respect of which proceedings for its recovery are pending in a court at the date of that determination, be payable within one month of the date of service on the person assessed of notification of the tax payable in accordance with the provisions of section 51 or 52.

61. (1) Where any emoluments to which the provisions of this section are applied are paid to any person tax shall, subject to and in accordance with rules made under section 5, be deducted or repaid by the employer making the payment notwithstanding that when payment is made no assessment has been made in respect of the emoluments and notwithstanding that the emoluments are in whole or in part emoluments for some year of assessment other than the year during which the payment is made.

Provision deduction from certain emoluments.

(2) Rules made for the purposes of giving effect to the provisions of this section may include provision for—

(a) requiring an employer to make deductions or payments of tax by reference to tax tables contained in the rules or in accordance with directions of the Commissioner ;

(b) the production to and inspection by the Commissioner or any person authorised by him of documents and records relating to the emoluments ;

(c) the manner in which tax deducted is to be accounted for and recovered from any employer ;

(d) the repayment by the Commissioner to any employer of tax repaid or to any person of tax deducted, in such circumstances as may be prescribed in the rules ;

(e) applying the provisions of this section to any emoluments ;

(f) appeals with respect to matters under the rules which would not be otherwise the subject of an appeal.

(3) Rules made for the purposes of giving effect to this section may make provision ; with respect to the amount of tax to be deducted from any class of emoluments specified in the rules, to secure that—

(a) the total tax payable in respect of emoluments for any year of assessment is deducted from emoluments paid during that year ;

(b) the tax deductible or repayable on the occasion of any payment of emoluments is such that the total net tax deducted since the beginning of the year of assessment bears to the total tax payable for the year the same proportion that the part of the year which ends with the date of payment bears to the whole year.

(4) Rules made under this section shall not affect the obligation of the Commissioner to give notice of assessment to any person under section 48 or any right of objection or of appeal to a local committee or a court which a person would have apart from the rules.

(5) The emoluments to which this section may be applied are the emoluments of any employment or office and any pension.

(6) In this section "employer" includes any head of a department of the Government of the Region and, where consent has been given by the Governor-General by notice in the Gazette of the Federation, the principal officer in the Region of any department of the Government of the Federation.

Agreements  
for payment  
by instal-  
ments.

62. (1) The Commissioner may enter into agreements with any person for the payment in instalments payable during a year of assessment of the tax chargeable on that person for that year of assessment.

(2) An agreement made in pursuance of the provisions of this section may provide that if the instalments are paid on the-days and in the manner specified in the agreement—

(a) the time for payment of the tax shall be extended to such date as may be agreed therein (being a date not later than the thirty-first day of March in the year of assessment) ;

(b) the Commissioner will not take proceedings under this Part for the recovery of the tax so long as the agreement remains in effect.

(3) Where the Commissioner has entered into an agreement with a person in pursuance of the provisions of this section and that person fails to observe or perform any of the provisions of the agreement,

Assented to in Her Majesty's name this 31st day of May, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 17



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.

*Officer Administering the Government of the Western Region*

A LAW TO MAKE PROVISION FOR PENSIONS TO BE GRANTED TO Title.  
WIDOWS AND CHILDREN OF DECEASED EUROPEAN PUBLIC  
OFFICERS TRANSFERRED OR APPOINTED TO HER MAJESTY'S  
SERVICE OF THE WESTERN REGION OF NIGERIA.

[1st October, 1954.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Enactment.  
Nigeria as follows :—

1. This Law may be cited as the Widows' and Orphans' Pension Short title  
and  
commence-  
ment.  
(Western Region) Law, 1957, and shall be deemed to have come  
into operation on the 1st day of October, 1954.

Obligation on European Officers transferred or appointed to Western Region to be contributors under Cap. 231.

2. Subject to the exceptions contained in sections 4 and 5 of the Widows' and Orphans' Pension Ordinance (hereinafter referred to as "the Ordinance")—

(a) every European officer transferred to the public service of the Western Region under the provisions of section 185 of the Nigeria (Constitution) Order in Council, 1954, shall continue a contributor under and subject to the provisions of the Ordinance ;

(b) every European officer appointed permanently or temporarily to a post in the public service of the Western Region on or after the 1st day of October, 1954, shall become or continue a contributor under and subject to the provisions of the Ordinance from the date on which he commences to draw any of the salary of such post.

Application of Cap. 231.

3. Provisions similar to those contained in the Ordinance shall apply in relation to every officer to whom section 2 of this Law refers and to his dependants.

Information to be supplied to Federal Government and Crown Agents.

4. The Government of the Western Region shall from time to time as and when required supply to the Government of the Federation and to the Crown Agents for Oversea Governments and Administrations (hereinafter referred to as "the Crown Agents") in relation to every officer to whom section 2 of this Law applies such information and assistance as may be necessary for the administration of the Ordinance.

Contributions to be deducted by appropriate authority.

5. When the salary or pension of a contributor to whom section 2 applies is not wholly paid through the Crown Agents his contributions shall be deducted from his salary or pension as the case may be by the appropriate authority in Nigeria.

Adoption and Adaptation of Cap. 231. L.N. 91 of 1955.

6. The Western Region shall be deemed to be a Region which has adopted the Ordinance within the meaning of the Adaptation of Pensions Laws Order, 1955, and the Ordinance shall apply to the Region as adapted by that Order.

Re-enactment of Federal legislation by Governor in Council

7. In event of the Ordinance or the rules and regulations thereunder being amended by the Federal legislature or the Governor-General in Council, the Governor in Council may by order provide that such legislation shall be operative in the Western Region and any such legislation shall thereupon be as valid as if enacted by the Regional legislature.

shall be guilty of an offence and shall be liable on conviction to a fine of two hundred pounds and treble the amount of tax for which he is liable under this Law for the year of assessment in respect of or during which the offence was committed, or to imprisonment for six months, or both such fine and imprisonment.

(2) The Commissioner may compound any offence under this section and may before judgment stay or compound any proceedings thereunder.

**69. Any person who—**

(1) being a person appointed for the due administration of this Law or any assistant employed in connection with the assessment and collection of the tax who—

(a) demands from any person an amount in excess of the authorised assessment of the tax ;

(b) withholds for his own use or otherwise any portion of the amount of tax collected ;

(c) renders a false return, whether verbal or in writing, of the amounts of tax collected or received by him ;

(d) defrauds any person, embezzles any money, or otherwise uses his position so as to deal wrongfully either with the Commissioner or any other individual ; or

(2) not being authorised under this Law to do so, shall collect or attempt to collect the tax under this Law,

shall be guilty of an offence and be liable on conviction to a fine of three hundred pounds or to imprisonment for three years or both.

70. The institution of proceedings for, or the imposition of, a penalty, fine or term of imprisonment under this Law shall not relieve any person from liability to payment of any tax for which he is or may become liable.

71. No prosecution in respect of an offence under section 67, 68 or 69 may be commenced except at the instance of, or with the sanction of the Attorney-General of the Region.

**PART XIII.—MISCELLANEOUS**

72. (1) The Legislative Houses of the Region may from time to time, by resolution passed by both such Houses, vary the rates of tax set out in the Schedule.

(2) A resolution passed by the Legislative Houses of the Region in exercise of the powers conferred by sub-section (1) of this section—

(a) shall be published in the Regional Gazette and shall have effect from the date specified in the resolution ;

(b) may give retrospective effect to any variation made by the resolution.

Penalties for offences by authorised and unauthorised persons.

Tax to be payable notwithstanding any proceedings.

Prosecution to be with the sanction of the Commissioner.

Legislative Houses may vary schedule.

Repeal of  
Cap. 54.

73. The Direct Taxation Ordinance is hereby repealed :

Provided that, any tax which would have been leviable for any year ending on or before the 31st March, 1957, under that Ordinance and which has not been collected shall be leviable and collected in accordance with and subject to the provisions of such Ordinance.

SCHEDULE

	<i>s</i>	<i>d</i>
For every pound of the first £200 of chargeable income...	0	9
For every pound of the next £200 of chargeable income...	0	10
For every pound of the next £200 of chargeable income...	1	0
For every pound of the next £200 of chargeable income...	2	0
For every pound of the next £400 of chargeable income...	3	0
For every pound of the next £800 of chargeable income...	4	0
For every pound of the next £1,000 of chargeable income...	5	0
For every pound of the next £1,000 of chargeable income...	7	0
For every pound in excess of £4,000 of chargeable income	9	0

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*

*Widows' and Orphans' Pension W.R. No. 17 of 1957 A 193*  
*(Western Region)*

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 1st day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
 of the Western Region*

(L.S.)

No. 18



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO APPROPRIATE THE SUM OF THIRTEEN MILLION, THREE HUNDRED AND THIRTY THOUSAND, SIX HUNDRED AND FORTY POUNDS TO THE SERVICE OF THE WESTERN REGION FOR THE YEAR ENDING THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-EIGHT.

[13th June, 1957.] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the 1957-58 Appropriation Law, 1957. Short title.

2. The Accountant-General may, on the warrant of the Governor, pay out of the revenue and other funds of the Western Region during the year ending on 31st day of March, 1958, any sums not exceeding in the whole the sum of thirteen million, three hundred and thirty thousand, six hundred and forty pounds, being the total of the amounts set forth opposite Heads 320 to 339 and 341 to 354 in the schedule hereto, Expenditure of £13,330,640 authorised out of the revenue and funds of the Western Region. Schedule.

Appropriation of  
£13,330,640.

3. The said sums, in the whole not exceeding the sum of thirteen million, three hundred and thirty thousand, six hundred and forty pounds, shall be appropriated to the purposes and in the manner expressed in the Schedule to this Law.

Balance unissued to lapse.

4. The moneys granted by this Law are intended for the services in respect of which moneys will become payable within the year ending on the 31st day of March, 1958, and any balance thereof unissued at the end of the month of March of that year shall lapse and not be available for making payments in any subsequent month.

## SCHEDULE

	£
320. The Governor ... ..	16,750
321. Governor's Office ... ..	20,590
322. Premier's Office ... ..	145,940
323. Executive ... ..	13,380
324. Administration ... ..	67,020
325. Western Region London Office ... ..	64,490
326. Legislature ... ..	155,250
327. Judicial ... ..	115,410
328. Public Service Commission ... ..	30,840
329. Audit ... ..	59,370
330. Ministry of Agriculture and Natur. l Resources ... ..	25,560
331. Agriculture ... ..	1,181,160
332. Forestry ... ..	197,870
333. Veterinary ... ..	72,130
334. Produce Inspection ... ..	233,280
335. Ministry of Development ... ..	211,360
336. Co-operative Societies ... ..	123,940
337. Ministry of Education ... ..	5,506,880
338. Ministry of Finance ... ..	734,370
339. Pensions and Gratuities ... ..	6,200
341. Ministry of Home Affairs ... ..	178,180
342. Printing and Stationery ... ..	119,970
343. Western Region Information Services ... ..	140,320
344. Ministry of Justice ... ..	9,390
345. Legal ... ..	28,100
346. Ministry of Lands and Labour ... ..	23,110
347. Land and Town Planning ... ..	75,710
348. Survey ... ..	178,360
349. Ministry of Local Government ... ..	632,700
350. Ministry of Health ... ..	13,120
351. Medical Services ... ..	1,526,900
352. Ministry of Works ... ..	14,930
353. Public Works ... ..	498,610
354. Public Works Recurrent—Maintenance Works and Services ... ..	909,450
Total ... ..	<u>£ 13,330,640</u>

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 1st day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 19



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO MAKE SUPPLEMENTARY PROVISION FOR THE SERVICE OF  
THE WESTERN REGION FOR THE YEAR WHICH ENDED THE  
THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED  
AND FIFTY-SIX.

[13th June, 1957.]

Date of  
commence-  
ment.

WHEREAS by the 1955-56 Appropriation Law, 1955, a sum not exceeding twelve million, three hundred and eighty-eight thousand, five hundred and fifty pounds was provided for the service of the Western Region for the year which ended on the thirty-first day of March, one thousand, nine hundred and fifty-six to be applied and expended in the manner therein described and for the several services set forth in the Schedule thereto :

Preamble.  
No. 8 of  
1955.

AND WHEREAS certain sums have been applied and expended in the said year for the services set forth in the Schedule hereto beyond the sums provided for the said services by the said Law :

Enactment. NOW, THEREFORE, BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Short title. 1. This Law may be cited as the 1955-56 (Supplementary) Appropriation Law, 1957.

Additional Expenditure for 1955-56 legalised. Schedule to No. 8 of 1955..... 2. The sums of money set forth in the Schedule hereto are hereby declared to have been duly and necessarily applied and expended for the services therein set forth and are hereby approved, allowed and granted in addition to the sums provided for such services by the 1955-56 Appropriation Law, 1955.

SCHEDULE

Head of Expenditure

	£
321. The Governor ... ..	857
322. Premier's Office ... ..	16,533
324. Legislature ... ..	30,441
326. Western Region London Office ... ..	4,040
328. Printing and Stationery ... ..	37,707
329. Information Services ... ..	53,052
335. Ministry of Education ... ..	1,369
336. Education ... ..	608,101
343. Land and Town Planning ... ..	1,867
350. Ministry of Public Health ... ..	1,016
355. Public Works Recurrent : Maintenance Services ... ..	31,057
359. Miscellaneous ... ..	640,127
360. Pensions and Gratuities ... ..	5,882
363. Subventions ... ..	447,940
Total ... ..	<u>£1,879,989</u>

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
Acting Clerk of the Regional Legislature

Supplement to the Western Regional Gazette No. 29, Vol. 6, 20th June, 1957—Part A

Assented to in Her Majesty's name this 3rd day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 20



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO PROVIDE FOR THE APPOINTMENT AND APPROVAL OF CHIEFS,  
FOR THE DETERMINATION OF CERTAIN CHIEFTAINCY DISPUTES,  
FOR THE SUSPENSION AND DEPOSITION OF CHIEFS AND FOR PURPOSES  
CONNECTED THEREWITH.

[20th June, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region  
of Nigeria as follows :—

Enactment.

**PART I.—INTRODUCTORY**

1. This Law may be cited as the Chiefs Law, 1957.
2. In this Law, unless the context otherwise requires—  
'chief' means a person whose chieftaincy title is associated with  
a native community and includes a minor chief and a recognized  
chief ;

Short title.

Interpreta-  
tion.

'competent council' in relation to a chieftaincy means the local government council designated as competent by the Minister ;

'the committee' in relation to a competent council means the committee of the council established by section 5 ;

'king-makers' in relation to a chieftaincy means the persons entitled in accordance with customary law to appoint a person to be the holder of that chieftaincy ;

'minor chief' means a chief other than a recognized chief ;

'recognized chief' means a person appointed to a recognized chieftaincy ;

'recognized chieftaincy' means a chieftaincy to which the provisions of Part II apply ;

'ruling house' in relation to a chieftaincy means the descendants of a lineal ancestor entitled in accordance with customary law to provide from amongst their own number a candidate or candidates for appointment by the kingmakers as holder of that chieftaincy ;

'ruling house chieftaincy' means a recognized chieftaincy the holder of which, according to customary law, is appointed from amongst the members of one or more ruling houses ;

'the Minister' means the Regional Minister to whom responsibility for local government matters is assigned in accordance with the Nigeria (Constitution) Order in Council, 1954 ;

'the Region' means the Western Region ;

'the repealed Law' means the Appointment and Recognition of Chiefs Law, 1954.

Law No. 1  
of 1955.

Application  
of Part II to  
a chieftaincy.

3. The Minister may by order—

(a) apply the provisions of Part II to a chieftaincy ;

(b) designate a local government council as the competent council in respect of that chieftaincy.

#### PART II.—RECOGNIZED CHIEFS

Declarations  
of customary  
law relating  
to selection  
of chiefs.

4. (1) Subject to the provisions of this Law, the committee of a competent council—

(a) may ; and

(b) shall, if so required by the Minister, make a declaration in writing stating the customary law which regulates the selection of a person to be the holder of a recognized chieftaincy.

(2) In the case of a ruling house chieftaincy the declaration shall include—

(a) a statement of the customary law relating to the following matters—

(i) the number of ruling houses and the identity of each such ruling house ;

(ii) where there is more than one ruling house, the order of rotation in which the respective ruling houses are entitled to provide candidates to fill successive vacancies in the chieftaincy ;

(iii) the persons who may be proposed as candidates by a ruling house entitled to fill a vacancy in the chieftaincy ;

(iv) the number and identity of the kingmakers ;

(v) the method of nomination by each ruling house ; and

(vi) the identity of any other person whose consent is required to an appointment made by the kingmakers, and the usage regulating the granting or withholding of such consent ; and

(b) where, before the making of the declaration, the right of providing candidates has not been exercised under customary law in accordance with an ascertainable order of rotation, the recommendation of the committee as to the order in which the ruling houses should exercise that right after the coming into effect of the declaration.

(3) In the case of a recognized chieftaincy other than a ruling house chieftaincy, the declaration shall contain a sufficient description of the method of selection of the holder of the chieftaincy.

(4) In exercise of their powers under this section a committee shall ensure that no family is declared as a ruling house which is not generally recognized as such at the time of making the declaration by the community with which the chief concerned is associated, and in particular shall not declare as a ruling house a family which has been in the remote past so recognized but is not recognized at the time of making the declaration.

5. (1) For every competent council there shall be constituted, by virtue of the provisions of this section, a committee of the council for the purposes of making declarations under section 4.

Committee of council to make recommendations.

(2) The committee shall be composed of the President, if any, and all the traditional members of the council.

(3) Where the committee makes a declaration the committee shall transmit it to the council which may make such comments for consideration by the Minister with respect to the declaration as it thinks fit.

(4) Where—

(a) the number of traditional members of the competent council provided for in the Instrument relating to the council is for the time being less than three ; or

(b) more than half the number of traditional members of the competent council are for the time being unable to sit by reason of a vacancy in any of the offices the holders of which are members or by reason that the appointment of any person to any of those offices has not been approved under this Law,

the council may exercise the powers conferred on the committee by section 4, instead of the committee, and section 4 shall be construed accordingly.

(5) The President of the council, if any, shall be chairman of the committee.

(6) Subject to the provisions of this section, the Minister may make, vary and revoke standing orders respecting the chairmanship, quorum, place of meeting and proceedings of any committee or committees constituted by this section.

Functions  
of local  
government  
advisers.

6. (1) A competent council shall send to the local government adviser in respect of the council—

(a) any declaration made by the committee of the council under this Part ; and

(b) any comment made by the council with respect to that declaration,

and the local government adviser shall submit them to the Minister.

(2) Where it appears to the local government adviser that a declaration sent to him—

(a) does not contain the matters required to be included by section 4 ; or

(b) does not otherwise contain a sufficiently clear statement of the customary law relating to any matter in respect of which it is made, he may, instead of submitting the declaration to the Minister refer that declaration back to the committee and require the committee to amend the declaration or make a new declaration.

Power of  
Minister  
with respect  
to  
declarations.

7. (1) The Minister may approve or refuse to approve a declaration made by the committee of a competent council.

(2) Before exercising his powers under sub-section (1) of this section the Minister may—

(a) cause an inquiry to be held in accordance with section 21 ; or

(b) whether or not an inquiry has been held, require the committee of the competent council to amend the declaration in any respect that he may specify.

(3) Where in respect of a chieftaincy—

(a) the committee of a competent council fails to make a declaration within six months of being required to do so in accordance with section 4 ; or

(b) the committee of a competent council fails to amend a declaration in the respects specified by the Minister within six months of being required to do so in accordance with sub-section (2) of this section,

the Minister may make a declaration in respect of that chieftaincy in accordance with the powers conferred on the committee.

(4) Before exercising any of the powers conferred by sub-section (3) of this section, the Minister may cause such inquiries to be held in accordance with section 21 as appear to him to be necessary or desirable.

(5) Upon a declaration in respect of a chieftaincy being made by the Minister every declaration made under this Law or the repealed Law relating to that chieftaincy that is not approved shall be void and of no effect.

8. (1) Every declaration of the committee of a competent council approved by the Minister and every declaration made by the Minister shall be registered and retained in safe custody by such officer of the Ministry of Local Government as the Minister may direct.

Registration  
of  
declarations.

(2) No declaration shall come into effect until it is so registered.

9. Where a declaration in respect of a recognized chieftaincy is registered under this Part, the matters therein stated (including any recommendation under paragraph (b) of sub-section (2) of section 4) shall be deemed to be the customary law regulating the selection of a person to be the holder of that chieftaincy to the exclusion of any other customary usage or rule.

Declarations  
deemed to  
state  
customary  
law.

10. (1) A person shall, unless he is disqualified, be qualified to be a candidate to fill a vacancy in a recognized chieftaincy if—

Qualifica-  
tions and  
disqualifi-  
cations of  
candidates.

(a) he is proposed by the ruling house or the persons having the right to nominate the candidate according to customary law ; and

(b) (i) he is a person whom the ruling house or the persons having the right to nominate candidates are entitled to propose, according to customary law, as a candidate ; or

(ii) he is unanimously proposed as a candidate by the members of the ruling house or the persons entitled to nominate candidates.

(2) No person shall be qualified to be a candidate for a recognized chieftaincy who—

(a) suffers from serious physical infirmity ; or

(b) has, under any law in force in Nigeria, been found or declared to be a lunatic or adjudged to be of unsound mind ; or

(c) has, in any British possession—

(i) been sentenced to death or imprisonment for a term exceeding two years ; or

(ii) been convicted of an offence involving dishonesty and sentenced to imprisonment therefor,  
and has not been granted a free pardon.

11. (1) Where a vacancy occurs in a ruling house chieftaincy and a declaration has effect with respect to that chieftaincy—

Procedure  
to fill  
vacancies in  
ruling house  
chieftaincy.

(a) the secretary of the competent council shall announce the name of the ruling house entitled according to customary law to provide candidates to fill that vacancy ;

(b) not later than fourteen days after the announcement by the secretary the members of the ruling house, acting either jointly or severally, shall submit the name of a candidate or candidates to the kingmakers ;

(c) if within the time prescribed by paragraph (b) of this sub-section, the ruling house named in the announcement fails to submit the name or names of a candidate, and there is more than one ruling house, the secretary shall make an announcement accordingly and the ruling house next entitled according to the order of rotation

contained in the declaration shall be entitled to submit a name or names within the period of fourteen days immediately following such announcement, and so on according to the same procedure, until the name of a candidate or candidates is submitted to the kingmakers ;

(d) within not more than seven days after the submission of the name of a candidate or candidates the kingmakers shall proceed to select a person to fill the vacancy in accordance with the provisions of paragraph (e) of this sub-section ;

(e) (i) if the name of only one candidate is submitted who appears to the kingmakers to be qualified and not disqualified in accordance with section 10, they shall declare him to be appointed ;

(ii) if the names of more than one candidate are submitted who appear to the kingmakers to be qualified and not disqualified in accordance with section 10, the names of those candidates shall be submitted to the vote of the kingmakers and the candidate who obtains the majority of the votes of the kingmakers present and voting shall be declared appointed ;

(iii) in voting upon candidates the kingmakers shall have regard to the relative ability, character and popular support of each candidate ;

(iv) if the name of only one candidate is submitted and it appears to the kingmakers that he is not qualified or is disqualified in accordance with section 10, or if, in the case of a chieftaincy in respect of which there is only one ruling house, no candidate is submitted to the kingmakers, they shall inform the ruling house and the secretary accordingly and the ruling house shall be entitled to submit a further name or names within fourteen days of being so informed and thereafter the procedure contained in paragraphs (c) to (e) of this sub-section shall apply.

(2) For the purposes of paragraph (a) of sub-section (1) of this section an announcement shall be made—

(a) (i) by delivering a notice in writing to the ruling house concerned ; and

(ii) by publishing a notice in the manner required by the Local Government Law, 1957, for the publication of notices of a council ; and

(iii) by giving notice in any manner required by customary law, within fourteen days of the occurrence of the vacancy ; and

(b) by notification at the earliest practicable ordinary meeting of the competent council to be held after the occurrence of the vacancy.

Procedure  
to fill  
vacancies  
in other  
chieftaincies.

12. Where a vacancy occurs in a recognized chieftaincy, other than a ruling house chieftaincy, and a declaration has effect with respect to that chieftaincy, a qualified person shall be nominated, selected and appointed in accordance with the customary law relating to that chieftaincy within thirty days of the occurrence of the vacancy.

13. (1) Where—

(a) the secretary to the competent council or the kingmakers fail to discharge any function conferred upon them by section 11 within the time required ; or

(b) in the case of a recognized chieftaincy, other than a ruling house chieftaincy, any persons entitled to nominate, select or appoint to a vacancy fail to exercise their powers within such time as appears reasonable to the Minister,

the Minister may appoint such persons to exercise and perform those powers and duties as he may think fit, in place of the secretary, kingmakers or other persons in default.

(2) Subject to the provisions of sub-section (1) of this section, the performance, after the expiration of the period prescribed, of any function under section 11 by the secretary or kingmakers or any function under section 12 by any persons entitled to nominate select or appoint to a vacancy shall not, by reason only of its being performed out of time, be invalid.

14. Where under customary law the appointment of a recognized chief requires the consent of any person—

(a) if that person is the holder of a recognized chieftaincy and his office is vacant, no proceedings shall be taken to fill a vacancy in the chieftaincy to whose appointment consent is required until a person is approved under this Part as the holder of the consenting chieftaincy and sections 11 and 12 shall be construed accordingly ;

(b) the persons responsible under customary law for obtaining that consent shall make application for the same not more than seven days after the declaration of an appointment ;

(c) the consent shall not be unreasonably withheld.

15. As soon as practicable after the declaration of an appointment the secretary of the competent council shall inform the Minister thereof and, if the consent of any person is required to the appointment, whether that consent has been granted or withheld.

16. (1) Subject to the provisions of this section, the Governor in Council may approve or set aside an appointment of a recognized chief.

(2) The Governor in Council shall not approve or set aside an appointment within the period of twenty-one days after notification in accordance with section 15 and during that period—

(a) an unsuccessful candidate ; or

(b) a ruling house in respect of the chieftaincy which alleges that the proper order of rotation has not been observed, may make representations to the Governor in Council in the manner prescribed that the appointment be set aside.

(3) In determining whether to approve or set aside an appointment under this section the Governor in Council may have regard to—

Default in performance of function

Consent of other persons.

Secretary to inform Minister of appointments.

Approval of appointments.

(a) whether the provisions of section 11 or section 12 have been complied with ;

(b) whether any candidate was qualified or disqualified in accordance with the provisions of section 10 ;

(c) whether the customary law relating to the appointment has been complied with ;

(d) whether the kingmakers, in the case of a ruling house chieftaincy, had due regard to the ability, character or popular support of any candidate ; or

(e) whether the appointment was obtained corruptly or by the undue influence of any person ;

and may, notwithstanding that it appears to him the appointment has been made in accordance with the provisions of this Law, set aside an appointment if he is satisfied that it is in the interests of peace, order and good government to do so.

(4) Approval of the appointment of a chief may be given under this section, notwithstanding that the consent of any person required by customary law has not been obtained.

(5) Where the Governor in Council sets aside an appointment he shall—

(a) in the case of a ruling house chieftaincy require a ruling house in respect of the chieftaincy to submit the name of some other person as candidate to the kingmakers and the ruling house and the kingmakers shall then proceed in accordance with section 11 as if the name of that ruling house had been announced by the secretary of the council ;

(b) in the case of any other recognized chieftaincy, require the persons responsible under customary law for the nomination and selection of a person to fill the vacancy in that chieftaincy to appoint another person in accordance with that customary law within such time as he may specify.

(6) The decision of the Governor in Council under this section shall be final and shall not be questioned in any court.

Offences.

17. (1) Where a vacancy has occurred in a recognized chieftaincy and no person has been approved as successor thereto by the Governor in Council in accordance with this Part, any person who installs or purports to install a person as such chief or any person who permits himself to be installed as such chief shall be guilty of an offence and shall be liable on conviction to imprisonment for two years.

(2) Any person—

(a) who installs or purports to install a person as a recognized chief other than the person approved by the Governor in Council in accordance with this Part ; or

(b) who, not being the person approved by the Governor in Council in accordance with this Part, permits himself to be installed as a chief,

shall be guilty of an offence and shall be liable on conviction to imprisonment for two years.

(3) Where a person has been approved as a recognized chief in accordance with this Part any other person who—

(a) holds himself out as such chief or wears any of the regalia of such chief ; or

(b) by any means challenges or impugns the validity of the appointment of such chief,

shall be guilty of an offence and shall be liable on conviction to imprisonment for two years.

(4) Where a person has been approved as a recognized chief in accordance with this Part any other person who—

(a) without the authority of the recognized chief takes possession of any residence, regalia or other property attaching to such recognized chieftaincy ; or

(b) prevents or obstructs the recognized chief or his authorised servants or agents from taking possession of any such residence, regalia or other property,

shall be guilty of an offence and liable on conviction to imprisonment for three years.

(5) Any person who prevents or obstructs the holding of an Iwuye Ceremony or any other ceremony connected with the installation of a person whose appointment as a recognized chief has been approved by the Governor in Council in accordance with this Part shall be guilty of an offence and shall be liable on conviction to imprisonment for one year.

### PART III.—MINOR CHIEFS

18. (1) The Governor in Council may appoint, in respect of the area of any local government council or group of councils, a person (in this Part referred to as the prescribed authority) to exercise the powers conferred by this section in respect of the office of any minor chief whose chieftaincy title is associated with a native community in that area.

Authority to approve appointments of and determine disputes as to minor chiefs.

(2) Where a person is appointed, whether before or after the commencement of this Law, to fill a vacancy in the office of a minor chief by those entitled by customary law so to appoint and in accordance with customary law, the prescribed authority may approve the appointment.

(3) Where there is a dispute whether a person has been appointed in accordance with customary law to a minor chieftaincy the prescribed authority may determine the dispute.

(4) The decision of the prescribed authority—

(a) to approve or not to approve an appointment to a minor chieftaincy ; or

(b) determining a dispute in accordance with sub-section (3) of this section, shall be final and shall not be questioned in any court.

Orders prohibiting assumption of chieftaincy titles.

19. (1) The Governor in Council may by order apply the provisions of this section to any area in respect of which no prescribed authority is appointed under section 18.

(2) Where the provisions of this section are applied to an area, no person, other than a recognized chief, shall—

(a) hold himself out as a chief whose chieftaincy title is associated with a native community in that area ; or

(b) take part in any ceremony installing or purporting to instal him as a chief whose chieftaincy title is associated with a native community in that area ;  
unless the office of chief and his appointment thereto are approved by the Governor in Council.

Offences.

20. (1) Where there is a vacancy in a minor chieftaincy after the commencement of this Law in an area in respect of which a prescribed authority is appointed any person who—

(a) instals or purports to instal a person in that chieftaincy who is not the person whose appointment is approved by the prescribed authority ; or

(b) not being the person whose appointment is approved by the prescribed authority permits himself to be installed in that chieftaincy,

shall be guilty of an offence.

(2) Where the appointment of a person to a minor chieftaincy has been approved by the prescribed authority or by the Governor in Council—

(a) any other person who holds himself out as the holder of such chieftaincy or wears the regalia of such chieftaincy ; or

(b) by any means challenges or impugns the validity of such appointment,  
shall be guilty of an offence.

(3) Any person who obstructs or prevents the holding of an Iwuye Ceremony or any other ceremony connected with the installation in a minor chieftaincy of a person whose appointment is approved by the prescribed authority or the Governor in Council shall be guilty of an offence.

(4) Where an order under section 19 is in force with respect to an area, any person, other than a recognized chief or a person approved by the Governor in Council, who—

(a) holds himself out as a chief whose chieftaincy title is associated with a native community in that area ; or

(b) takes part in any ceremony installing or purporting to instal him as a chief whose chieftaincy title is associated with a native community in that area ;  
shall be guilty of an offence.

(5) Where the appointment of a person to a minor chieftaincy has been approved by the prescribed authority or the Governor in Council, any other person who—

(a) without the authority of the minor chief takes possession of any residence, regalia or other property attaching to such chieftaincy ;  
or

(b) prevents or obstructs the minor chief or his authorised servants or agents from taking possession of any such residence, regalia or other property,  
shall be guilty of an offence.

(6) A person convicted of an offence under the provisions of this section shall be liable on conviction to imprisonment for six months.

#### PART IV.—GENERAL

21. (1) The Minister may cause such inquiries to be held at such times and in such places and by such person or persons as he may consider necessary or desirable for the purposes of this Law. Inquiries.

(2) The provisions of the First Schedule to the Local Government Law, 1957, shall apply in relation to an Inquiry under this Law as they apply in relation to an inquiry under that Law.

22. (1) The Governor in Council may suspend or depose any chief whether appointed before or after the commencement of this Law, if he is satisfied that such suspension or deposition is required according to customary law or is necessary in the interests of peace, or order or good government. Suspension and deposition of chiefs.

(2) Where a chief is suspended under sub-section (1) of this section the Governor in Council shall specify the powers and duties under customary law or under any written law that shall not be exercised or discharged by such chief and may make such provision for the temporary exercise and discharge of such powers and duties by another person as he shall think fit.

(3) (a) Where a prescribed authority is appointed in accordance with section 18, the Governor in Council may by notice in the Gazette delegate to that authority the powers conferred by sub-sections (1) and (2) of this section with respect to minor chiefs whose chieftaincy titles are associated with a native community in the area for which the prescribed authority is appointed.

(b) Any such delegation shall be revocable by the Governor in Council and no delegation shall prevent the exercise by the Governor in Council of any power.

23. (1) If any person shall have been convicted of an offence against the provisions of this Law or have been suspended or deposed under the provisions of section 22 and the Governor in Council shall Deportation of convicted person or suspended chief.

consider that in the interests of peace, order and good government an order of deportation to any place in the Region should be made, he may by writing under his hand order such person to be deported accordingly.

(2) If a person ordered to be deported is sentenced to any term of imprisonment, such sentence shall be served before the order of deportation is carried into effect.

(3) An order of deportation may be expressed to be in force for a limited time or for an unlimited time and may require the deported person to report himself to the nearest administrative officer or officer of police at such intervals as may be prescribed by the order.

(4) An order of deportation shall be sufficient authority to all persons to whom it is directed or delivered for execution to receive and detain the person therein named and to carry him to the place named.

(5) If a person leaves or attempts to leave the district or place to which he has been deported, while the order of deportation is still in force, without the written consent of the Governor in Council, which consent may be given subject to any terms as to security for good behaviour or otherwise as to the Governor in Council may seem good, or wilfully neglects or refuses to report himself as ordered, such person shall be liable to imprisonment for six months and to be again deported on a fresh warrant under the original order or under a new order.

(6) In this section the word "deported" with its grammatical variations and cognate expressions means deportation from the place in the area of the native community associated with the chieftaincy where the chief concerned resides to any other place in the Region.

Exclusion of  
jurisdiction  
of courts.

24. Notwithstanding anything in any written law whereby or whereunder jurisdiction is conferred upon any court, whether such jurisdiction is original, appellate or by way of transfer, no court shall have jurisdiction to entertain any civil cause or matter—

(a) instituted for the determination of any question relating to the selection, appointment, installation, deposition, suspension or abdication of a chief ; or

(b) instituted for the recovery or delivery up of any property in connection with the selection, appointment, installation, deposition, suspension or abdication of a chief :

Provided that any recognized chief whose appointment has been approved by the Governor in Council or any minor chief whose appointment has been approved in accordance with Part III shall not be precluded from taking action in a court of competent jurisdiction for the recovery or delivery of such property and related damages ;

(c) calling in question anything done in the execution of any of the provisions of this Law or the repealed Law or in respect of any neglect or default in the execution of any such provision by the Governor in Council, the Minister, a local government council, or its secretary, a committee, a ruling house or a kingmaker ; or

(d) calling in question anything done by the Governor with respect to a chief or chieftaincy (whether before or after the application of this Law to such chief or chieftaincy) under the provisions of the Appointment and Deposition of Chiefs Ordinance.

Cap. 12.

25. Where in any criminal proceedings it is necessary to name the person to whom any property belongs and that property is the property of a chief by virtue of his chieftaincy, it shall be sufficient to name such chief by whichever title such chief is known notwithstanding that no person has been duly appointed or installed as such chief or that there is a dispute in respect of such chieftaincy, and the provisions of sections 146, 147 and 154 of the Criminal Procedure Ordinance in particular, and any other similar provisions in any other written law shall be construed accordingly.

Description of ownership of property of chiefs in criminal cases.

Cap. 43.

26. The Governor in Council may make rules prescribing the manner and form in which representations may be made to him for the purpose of section 16.

Rules as to representations.

#### PART V.—TRANSITIONAL AND REPEALS

27. Until other provision is made under section 3—

(a) Part II of this Law shall apply to every chieftaincy to which the provisions of Part II of the repealed Law applied immediately before the commencement of this Law ;

(b) the competent council in respect of every recognized chieftaincy shall be the competent local government council designated in respect thereof immediately before the commencement of this Law in the exercise of the powers conferred by sub-section (2) of section 2 of the repealed Law.

Transitional provisions relating to section 3.

28. (1) Subject to the provisions of this section, every declaration

(a) made under the provisions of Part II of the repealed Law ;

(b) registered with a local government inspector under the provisions of Part II of the repealed Law,

shall have effect as if it had been made or registered, as the case may be, under the provisions of Part II of this Law.

Effect of declarations under repealed Law.

(2) The following provisions shall apply in relation to declarations made under Part II of the repealed Law, and in respect of which the date of registration or re-registration is before the fifteenth day of March, 1956—

(a) every such declaration shall be submitted by the local government adviser to the Minister for approval and shall cease to have effect until again registered under the provisions of Part II of this Law ;

(b) the provisions of section 7 shall apply in relation thereto ;

(c) where at the date of the coming into force of this Law proceedings have been commenced in accordance with the provisions of Part II of the repealed Law to fill a vacancy in respect of a chieftaincy to which that Part applies but no appointment has been made—

(i) no further step shall be taken in those proceedings ;

(ii) when a declaration is approved and registered with the prescribed officer of the Ministry of Local Government, proceeding shall be commenced *de novo* in accordance with the provisions of Part II of this Law to fill the vacancy as if it had occurred on the date upon which the declaration was registered after being approved by the Minister.

Appoint-  
ments under  
repealed  
Law.

29. Any person whose appointment to a recognized chieftaincy—

(a) was made in accordance with a declaration under Part II of the repealed Law ;

(b) was approved by the Governor under the provisions of that Law,

shall be deemed to have been approved in his appointment under the provisions of Part II of this Law.

Appoint-  
ments in  
absence of  
declaration.

30. (1) Where a vacancy occurs in a recognized chieftaincy after the application of Part II of this Law but before the making of a declaration—

(a) the vacancy shall be filled in accordance with the customary law applying to that chieftaincy ;

(b) the Governor in Council may approve the person so appointed or set aside the appointment.

(2) Any person—

(a) whose appointment is approved under sub-section (1) of this section ; or

(b) whose appointment to any recognized chieftaincy was approved under the Appointment and Deposition of Chiefs Ordinance and who holds that chieftaincy immediately before the commencement of this Law ; or

Cap. 12.

(c) who is notified by the Governor in Council by notice in the Gazette to have been the holder of any chieftaincy immediately before the application to it of Part II of this Law ;

shall be deemed to have been approved in his appointment under the provisions of Part II of this Law.

(3) (a) Where it appears to the Minister that there is a dispute as to the appointment to any recognized chieftaincy in respect of which no declaration has effect, the Minister may notify the competent council that a dispute exists in respect of the chieftaincy and thereupon—

(i) no proceedings shall be taken by the committee of the council to make or register a declaration without the consent of the Minister ;

(ii) the Minister shall cause such inquiry to be made into the dispute as appears to him necessary.

(b) The report of the inquiry shall be submitted to the Governor in Council who may give his decision with respect to the appointment in dispute and any such decision shall be final and shall not be open to question in any court.

31. The Appointment and Deposition of Chiefs Ordinance, the Chieftaincy Disputes (Preclusion of Courts) Ordinance, 1948, and the Appointment and Recognition of Chiefs Law, 1954, are hereby repealed. Repeals.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Chiefs and the Western House of Assembly, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*



Assented to in Her Majesty's name this 19th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 21



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO MAKE PROVISION FOR THE REGISTRATION OF NEWS-  
PAPERS PUBLISHED (OR CIRCULATED FOR SALE) WITHIN THE  
REGION AND FOR OTHER PURPOSES CONNECTED THEREWITH.

[27th June, 1957.] Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region Enactment.  
of Nigeria as follows :—

1. This Law may be cited as the Newspaper Law, 1957. Short title.

**PART I.—PRELIMINARY**

2. In this Law—

“newsagent” includes any person who sells whether for himself  
or on behalf of another a newspaper in a shop, stall or other  
structure whether movable or not but does not include a street  
hawker of newspapers ;

Interpreta-  
tion.

“newspaper” means any paper containing public news, intelligence or occurrences or any remarks, observations or comments thereon printed for sale and published in Nigeria periodically or in parts or numbers but does not include any newspaper published by or under the authority of the Government ;

“proprietor” means the sole proprietor of any newspaper or, in the case of a divided proprietorship, the persons who as partners or members of a firm or otherwise represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and includes any company or body corporate ;

“Registrar” means the Registrar of Newspapers appointed under the provisions of section 3.

Appointment of Registrar.

3. The Governor may appoint such person as he may think fit to be the Registrar of Newspapers for the purposes of this Law.

#### PART II.—NEWSPAPERS PUBLISHED IN THE REGION

Application.

4. This Part shall apply to newspapers published within the Region.

Affidavits and bonds from proprietor, printer and publisher.

5. No person shall print or publish or cause to be printed or published any newspaper unless the proprietor, printer and publisher shall each have previously—

(a) made, signed and sworn before a magistrate or a commissioner for oaths and registered in the office of the Registrar an affidavit containing the several matters and things following :—

(i) the correct title or name of the newspaper ;

(ii) a true description of the house or building wherein such newspaper is intended to be printed ; and

(iii) the real and true names and places of abode of the persons intended to be the proprietor, printer and publisher of the newspaper ; and

(b) given and executed and registered in the office of the Registrar a bond in the form in the First Schedule in the sum of two hundred and fifty pounds with one or more sureties as may be required and approved by the Registrar :

First Schedule.

Provided that the Registrar may accept a deposit of two hundred and fifty pounds from the proprietor, printer and publisher in lieu of such surety or sureties, and shall, in that event, issue a certificate to that effect. Upon the deposit of such sum, the following conditions and provisions shall apply :—

(i) The Registrar shall pay out of such deposit every penalty which may at any time be imposed on the proprietor, printer and publisher or any of them under this Law, and also every penalty which may be imposed on them or any of them under any other law by reason of the publication of any matter or thing published in the newspaper in respect of which the deposit was made, and shall also pay all damages and costs which may be awarded to the plaintiff in any action for libel brought against them or any of them for any matter or thing published in the newspaper.

(ii) Whenever the Registrar makes any of the said payments, the proprietor, printer and publisher shall on the same day re-deposit or cause to be re-deposited with the Registrar, a sum equivalent to that which the Registrar has paid so that, at all material times, the deposit in the hands of the Registrar shall remain at the figure of two hundred and fifty pounds.

(iii) In the event of any such equivalent sum not being paid, then the publication of the said newspaper shall be and remain suspended until either the equivalent sum is re-deposited with the Registrar who shall give a certificate to that effect, or the provisions of (b) of this section have been complied with, in which latter case the remaining portion of the original deposit shall be paid over to the proprietor, printer and publisher.

(iv) If the equivalent sum is not re-deposited, or the provisions of (b) of this section are not complied with then the Registrar shall retain such remaining portion, if any, of the original deposit for a period of two years and shall thereafter, if no civil or criminal proceedings are pending, return such remaining portion to the proprietor, printer and publisher.

(v) The Registrar shall deposit all sums, which may come into his custody in accordance with the provisions of this Law, in the Post Office Savings Bank and the interest on any such sums or on any portion that may remain shall accrue and be payable to the person who deposited the sums in question with the Registrar.

6. When a company is the proprietor, printer or publisher of a newspaper the affidavit required by section 5 shall be made, signed and sworn by the secretary or one of the directors of the company and the bond shall be given and executed by such company under its title of incorporation and under the hand of the secretary and any two directors and under the common or corporate seal of such company, and by such surety or sureties as the Registrar may require and approve.

Affidavit  
and bond  
by  
company.

7. Whenever any of the proprietors, printers or publishers named in such affidavit shall be changed or shall change their printing house, place of abode or office, and as often as the title of

New  
affidavit  
when  
required.

the newspaper shall be changed, then and in every such case the proprietors, printers and publishers shall make, sign, swear and register as aforesaid a new affidavit which shall contain all the several matters and things required by section 5 to be contained in the affidavit in such section mentioned.

Execution of bond.

8. Every bond required by this Law shall be executed in the presence of a magistrate, and of one witness at least not being a party thereto, and the magistrate and such witness shall each of them subscribe his name, with the addition of his place of abode or business, and his profession, occupation, or condition in life.

New bond in certain cases.

9. When any surety under any bond required by this Law—

(a) shall have paid the whole or any part of the sum for which such surety shall have become bound ; or

(b) shall die ; or

(c) shall have been declared bankrupt or shall have been discharged under any law of bankruptcy for the time being in force in Nigeria ; or

(d) shall have left Nigeria without leaving sufficient property therein to satisfy any sum for which he shall have become bound ; or

(e) shall have withdrawn from such suretyship in manner hereinafter provided,

the newspaper in relation to which such bond shall have been given shall not be printed or published until a new bond shall have been given, executed and registered to the amount and in the manner before provided.

Withdrawal of Surety.

10. If any surety shall be desirous of withdrawing from a bond given under this Law and being discharged from his suretyship thereunder, he shall be entitled so to withdraw and be discharged at the expiration of twenty days after service of a notice in writing of such withdrawal on the Registrar and on the proprietor, printer or publisher, as the case may be, for whom such surety shall have become bound :

Provided that notwithstanding any such discharge such surety shall continue to be liable in respect of all penalties incurred by, and all damages and costs adjudged against, any such proprietor, printer or publisher in regard to any matter published during his suretyship and before such discharge.

Penalty.

11. Any person who—

(a) shall print or publish or cause to be printed or published any newspaper in contravention of section 5 or section 9 ; or

(b) shall sell any newspaper which he knows or has reason to believe has been printed or published in contravention of either of the aforesaid sections,

shall be liable to a fine of fifty pounds.

12. Every affidavit registered as hereinbefore provided, or copies thereof, certified to be true copies as hereinafter mentioned, shall in all proceedings, civil and criminal, touching any newspaper which is mentioned in any such affidavit, or touching any publication, matter or thing contained in any such newspaper be received and admitted as conclusive evidence of the truth of all such matters set forth in such affidavit as are hereby required to be set forth against every person who shall have signed and sworn such affidavit, and shall also be received and admitted in like manner as sufficient evidence of the truth of all such matters against every person who shall be therein mentioned to be a proprietor, printer or publisher of such newspaper unless the contrary shall be satisfactorily proved :

Copies of affidavit to be evidence.

Provided that if any person against whom any such affidavit, or any copy thereof, shall be offered in evidence shall prove that he signed, swore and registered with the Registrar previous to the day or date of publication of the newspaper to which the proceedings shall relate, an affidavit that he had ceased to be the proprietor, printer or publisher of such newspaper, such person shall not be deemed by reason of any former affidavit so registered as aforesaid to be the proprietor, printer or publisher of such newspaper after the day on which such last mentioned affidavit shall have been registered as aforesaid.

13. After production in evidence of any such affidavit, or a certified copy thereof, against the person who signed and made such affidavit, or is therein named, and after a newspaper has been produced in evidence having the same title or name as that contained in such affidavit, or copy thereof, and wherein the name of the printer and the publisher and the place of printing shall be the same as the name of the printer and publisher and the place of printing mentioned in such affidavit, it shall not be necessary for the informant or prosecutor to prove that the newspaper to which such trial relates was purchased at any house, shop or office belonging to or occupied by the defendant, or by his agent or servant, or where such printer or publisher usually carries on the business of printing and publishing such newspaper, or where the same is usually sold.

When proof of purchase unnecessary.

Name and address of printer and publisher to be printed on newspaper.

14. (1) At the foot of the last page of each copy of every newspaper, and at the foot of the last page of each copy of every supplement, there shall be added and printed the true and real name and place of abode of the printer and publisher and the true and real description of the place of printing of every such newspaper and supplement.

(2) Any person who shall print or publish or shall cause to be printed or published any newspaper not containing the particulars aforesaid shall for every such publication be liable to a fine of fifty pounds, and any person who shall sell any newspaper not containing the particulars aforesaid knowing or having reason to believe that such newspaper has been printed in the Region shall for each such sale be liable to a fine of five pounds.

Delivery of signed copies.

15. (1) The printer and publisher of every newspaper shall upon every day upon which such newspaper shall be published, deliver or send by post to the Registrar a copy of every paper so published and of every supplement thereto signed by the printer and publisher thereof and the same shall be filed and kept by the Registrar.

(2) When the printer or publisher is a company the copy aforesaid shall be signed by a director or the secretary of the company.

(3) Any printer or publisher who fails to comply with the provisions of this section shall be liable to a fine of five pounds for each failure.

Non-delivery after notice.

16. (1) Notwithstanding such failure to deliver or send such paper as aforesaid, and notwithstanding any proceedings taken against any printer or publisher by reason of any failure to deliver or send as aforesaid the Registrar may by notice under his hand addressed to the printer or publisher require him to deliver or send to him copies signed as aforesaid of every newspaper which such person shall have failed to deliver or send, or which has not arrived at the office of the Registrar.

(2) If any person liable to deliver or send as aforesaid shall fail forthwith to deliver or send the copies of such newspapers as he may in such notice have been required to deliver, he shall be liable on summary conviction to a fine of fifty pounds for every day on which he shall fail to comply with such notice.

Delivery of certified copy of affidavit or bond.

17. The Registrar upon application shall deliver to any person who may require it a copy certified under his hand of any affidavit or bond registered under the provisions of this Part and any such certified copy shall be received in evidence in all courts as sufficient proof of the making, signing, swearing and registration of the affidavit or the giving and execution of the bond.

18. (1) If the condition of a bond given under this Law shall not have been fulfilled, the Attorney-General or any officer authorised by him in that behalf, may put the bond in suit as against all or any of the persons who shall have executed the same.

Proceedings  
on bond.

(2) The amount recovered in any such suit shall be paid into general revenue, except that the Attorney-General may, when the bond has been put in suit by reason of the non-payment of damages and costs to a plaintiff, first deduct and pay to the person entitled thereto the amount of such costs and damages.

(3) Proceedings on any such bond shall not prevent any other proceedings being taken to enforce the payment of the balance of any penalties, damages or costs when the amount of such penalties, damages or costs exceeds the amount recovered under such bond.

19. Service of any process or notice under this Part upon any proprietor, printer or publisher of a newspaper shall be good, valid and effectual if it is delivered to any person at the house or building wherein such newspaper is printed, or, if there is no person in such house or building, if it is fixed to the door of such house or building.

Service of  
process.

### PART III.—NEWSPAPERS CIRCULATED FOR SALE IN THE REGION

20. This Part shall apply to newspapers printed and published in Nigeria elsewhere than in the Region but circulated for sale within the Region.

Application.

21. (1) It shall be the duty of the proprietors for the time being of any newspapers to make or cause to be made to the Registrar a return stating the title of the newspaper and the names of all the proprietors of such newspaper together with their occupations and places of residence.

Annual  
return of  
newspapers,  
proprietors  
and agents.

(2) It shall be the duty of every newsagent operating within the Region to make or cause to be made to the Registrar a return stating his name together with his occupation and place of business.

(3) The returns referred to in sub-section (1) and (2) shall be made within one month of the date of commencement of this Law or in the case of any newspaper circulated for sale in the Region after the commencement of this Law, within one month from such date and thereafter in the month of January in every year.

(4) The Registrar shall compile annual registers in the forms set forth in the Second Schedule hereto and shall include therein the particulars stated in every return made to him under the provisions of sub-sections (1) and (2) of this section.

Second  
Schedule.

Newspapers  
to have  
registered  
offices.

22. (1) It shall be the duty of every proprietor and every publisher for the time being of any newspaper to establish an office for such newspaper within the Region and to register such office at the office of the Registrar within one month of the date of the commencement of this Law or in the case of any newspaper first circulated for sale in the Region after the commencement of this Law within one month from such date and thereafter from time to time as often as the address of the office of such newspaper is changed.

(2) Notwithstanding the provisions of any rule of court or other written law any suit or matter in respect of a libel contained in such newspaper may be commenced and determined in any judicial division of the High Court in which the newspaper containing such libel is circulated for sale.

(3) Notwithstanding the provisions of any rule of court or other written law any process or notice required to be served upon the proprietor, publisher or editor of such newspaper shall be sufficiently served if addressed to the proprietor, publisher or editor and left at or sent by post to the address of the registered office of the newspaper.

Penalty for  
failure to  
register.

23. If within the period mentioned in sub-section (3) of section 21 or in sub-section (1) of section 22 a proprietor, publisher or newsagent to whom those sections apply fails to register he shall be guilty of an offence and shall be liable on conviction to a fine of twenty-five pounds or three months imprisonment and in addition shall be ordered to pay the amount of the registration fee forthwith.

Selling un-  
registered  
newspapers.

24. Any person who circulates for sale or who sells a copy of any newspaper which is not registered under the provisions of section 21 shall be guilty of an offence and liable upon conviction to a fine of one hundred pounds or to imprisonment for not more than six months.

Mis-  
representa-  
tion in or  
omission  
from return.

25. If any person shall knowingly and wilfully make or cause to be made any return required by this Part in which there shall be any misrepresentation or from which there shall be any omission in respect of any of the particulars by this Part required to be contained therein whereby such return shall be misleading he shall be guilty of an offence and liable upon conviction to a fine of one hundred pounds.

Certified  
copies or  
extracts to  
be evidence.

26. Every copy of an entry in or every extract from the register purporting to be certified by the Registrar shall be received as conclusive evidence of the contents of the said register so far as the same appear in such copy or extract, without proof of the

signature thereto, and every such certified copy or extract shall in all proceedings civil or criminal be accepted as sufficient prima facie evidence of all the matters and things thereby appearing unless and until the contrary thereof be shown.

27. (1) Every newsagent shall keep proper monthly accounts with respect to all newspapers distributed by him and shall before the fifteenth day of each month submit to his employers an accurate copy of such accounts for the preceding month.

Newsagent to keep monthly accounts.

(2) Any newsagent who fails to comply with the provisions of sub-section (1) shall be guilty of an offence and liable upon conviction to a fine of one hundred pounds or to imprisonment for six months.

PART IV.—GENERAL

28. The Governor in Council may make regulations generally to give effect to the purposes of this Law and such powers shall include the powers to fix fees to be paid in respect of any matter to be registered (or any return to be made) under the provision of this Law.

Power to make regulations.

29. The Newspapers Ordinance is hereby repealed.

Repeal of Newspaper Ordinance. Laws of Nigeria 1948, Cap. 148.

FIRST SCHEDULE

FORM OF BOND TO BE GIVEN BY THE PROPRIETOR, PRINTER AND PUBLISHER OF A NEWSPAPER

Section 5.

Know all men by these presents that we..... are held and firmly bound unto Her Majesty Queen Elizabeth the Second in the sum of two hundred and fifty pounds of good and lawful money of Nigeria, to be paid to Her Majesty, Her heirs and successors; to which payment well and truly to be made, we bind ourselves, and each and every one of us jointly and severally, for and in the whole, our heirs, executors and administrators, and every of them firmly by these presents.

(Sealed with our seals).

DATED this.....day of.....19.....

WHEREAS the above bounden.....is the proprietor (printer or publisher) of a newspaper entitled or named .....and the above bounden have also been approved as the sureties of the said.....

Now the condition of this obligation is such, that if the above named (proprietor, printer or publisher) shall pay every penalty which may be imposed on him under the Newspaper Law, and shall also pay every penalty which may be imposed on him under any other law by reason of the publication of any matter or thing published in the aforesaid newspaper, and shall also pay all damages and costs which may be awarded to the plaintiff in any action for libel brought against him for any matter or thing published in the aforesaid newspaper then this obligation to be void otherwise to be and remain in full force and effect.

SIGNED, sealed  
and delivered in  
the presence of

## SECOND SCHEDULE

## Section 21 (1)

## I.—REGISTER OF NEWSPAPERS UNDER SECTION 21, SUB-SECTION (1)

<i>Title of Newspapers</i>	<i>Registered Office (if any)</i>	<i>Name of Proprietors</i>	<i>Occupations</i>	<i>Residence</i>	<i>Registration Fee</i>

## Section 21 (2)

## II.—REGISTER OF NEWSAGENTS UNDER SECTION 21, SUB-SECTION (2)

<i>Name of Newsagent</i>	<i>Occupation</i>	<i>Place of Business</i>	<i>Registration Fee</i>

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*



Supplement to the Western Regional Gazette No. 31, Vol. 6, 4th July, 1957—Part A

Assented to in Her Majesty's name this 25th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 22



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO AMEND THE LOCAL GOVERNMENT POLICE LAW, 1955.

[4th July, 1957.] Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

1. This Law may be cited as the Local Government Police (Amendment) Law, 1957. Short title.

Amendment  
of section  
4 of Law 21  
of 1955.

2. In sub-section (3) of section 4 of the Local Government Police Law, 1955 (hereinafter referred to as the principal Law) for the figures "26" there shall be substituted the figures "25".

Amendment  
of section 6  
of Law 21  
of 1955.

3. For section 6 of the Principal Law there shall be substituted the following section—

"6. (1) If it appears to the Minister that it is expedient in the interests of efficiency, or for any other reason, that two or more forces established in the same province should be operated jointly he may require such local government authorities having jurisdiction in the province as he may specify to establish a joint committee for that purpose in the manner provided by section 5.

(2) If the local government authorities fail within six months of such requirement to establish a joint committee by Instrument approved by the Minister, the Minister may by order establish a joint committee in respect of the authorities concerned".

Amendment  
of section 7  
of Law 21  
of 1955.

4. (1) In paragraph (c) of section 7 of the principal Law after the words "the forces of the authorities" there shall be added the words "or, in the case of an order made by the Minister, such forces of the local government authorities established in the area affected as may be specified in the order."

(2) In paragraph (d) of the said section 7 for the words "local government authorities (being property, rights and liabilities held or incurred for police purposes)" there shall be substituted the words "contributing local government authorities or, in the case of an order made by the Minister, of the local government authorities established in the area affected."

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 28th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 23



1957

Western Region of Nigeria

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO MAKE PROVISION FOR THE PAYMENT OF COMPENSATION  
IN THE CASE OF DAMAGE CAUSED BY RIOTS.

[4th July, 1957.]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

PART I.—PRELIMINARY

Short title.

1. This Law may be cited as the Riot Damages Law, 1956.

2. In this Law, unless the context otherwise requires—

Interpreta-  
tion.

“assessed damage” means damage assessed by a Commissioner in accordance with the provisions of Part IV ;

“council area” means the area of authority of a council ;

“council” means a local government council established under the Local Government Law ;

“damage” means injury, stealing or destruction in respect of which compensation is payable in accordance with section 3 ;

“Governor in Council” means the Governor in Council of the Region ;

“the Local Government Law” means the Western Region Local Government Law, 1957 ;

“Region” means the Western Region ;

“riot area” means an area declared to be such in accordance with section 4.

#### PART II.—LIABILITY FOR RIOT DAMAGE

Compensation for damage by riots.

3. (1) Where any house, shop or other building has been injured or destroyed, or any property or article has been injured, stolen or destroyed, by any persons riotously or unlawfully assembled together, compensation shall be payable in such manner as is hereinafter provided in this Law, to any person who has sustained loss by such injury, stealing or destruction.

(2) Notwithstanding the provisions of this Law, any person who has sustained loss by such injury, stealing or destruction as detailed in sub-section (1) shall be at liberty to sue for damages in any court of competent jurisdiction and any amount recovered in pursuance of such legal claim or by way of insurance shall be deducted from compensation awarded under this Law.

Declaration of riot areas.

4. (1) Where a riot or unlawful assembly has occurred, either wholly or partly, within a council area the Governor in Council may by order declare that council area (or any part of it) to be a riot area.

(2) The Governor in Council may by order direct the recovery of such proportion as he may deem fit from the persons resident or owning property in a riot area of—

(a) the amount of all assessed damage in that area ; and

(b) the expenditure incurred by the Government of the Region in suppressing the riot or unlawful assembly by which the damage was caused.

(3) A certificate under the hand of the Minister of Finance shall be conclusive as to the amount of the expenditure referred to in paragraph (b) of the immediately preceding sub-section :

Provided that the Governor in Council may in any case by order direct that such expenditure shall be deemed to be such percentage of the total amount of the assessed damage as he may specify.

(4) The Governor in Council may by order direct that such proportion of the assessed damage as may be specified in the direction shall be defrayed by the Government of the Region and to the extent that moneys may be provided by the Regional Legislature, any such amount shall be payable by the Government and shall be defrayed out of the revenues of the Region accordingly.

5. (1) The Governor in Council may, either generally with regard to any damage caused in a riot area, or particularly with regard to any special damage so caused, by order give directions in respect of all or any of the matters following :—

Further powers of the Governor in Council.

(a) the assessment of the amount of such damage ;

(b) the allotment of the amounts payable to the Riot Damage Fund amongst the persons who satisfy the Commissioner as to the validity of their claims to compensation ;

(c) the apportionment of the liability for compensation amongst the persons resident or owning property in such area ;

(d) the classification of persons for the purpose of such allotment or apportionment ;

(e) the dates upon which the sums recoverable by a council in respect of compensation shall be paid and the instalments, if any, in which they shall be so paid ;

(f) generally with respect to the exercise of the powers and the performance of the duties of the Commissioner under this Law.

(2) The Governor in Council may, with regard to any damage in respect of which an order is made under section 4—

(a) exempt any class of persons from liability to pay compensation under this Law ;

(b) exempt the persons resident in or owning property in any part of the riot area from liability to pay compensation under this Law ;

(c) direct that in relation to any class of persons specified by him such special provisions shall apply with respect to any matter, mentioned in sub-section (1) of this section as he shall consider fit.

(3) In giving directions under this section the Governor in Council shall have regard—

(a) to the persons who took part in the riot or unlawful assembly and their conduct therein ; and

(b) to the conduct of the persons who have sustained damage whether as respects the precautions taken by such persons or as respects their being a party or accessory to the riot or unlawful assembly or as regards any provocation offered to the persons assembled or otherwise.

6. (1) Where compensation is payable under the provisions of this Law in respect of damage caused by a riot or unlawful assembly and the Governor in Council is satisfied that persons who took part in such riot or unlawful assembly are resident in an area other than the area in which the riot or unlawful assembly occurred, he may declare the first mentioned area to be liable for compensation in respect of damage caused by the riot or unlawful assembly.

Governor may declare other areas to be liable.

(2) The provisions of sub-section (2), (3) and (4) of section 4, sections 5 and 8, and Parts IV and V shall apply in relation to an area declared under sub-section (1) of this section and the compensation payable by persons resident or owning property therein as they apply in relation to a riot area and the compensation payable by persons resident or owning property in a riot area.

(3) A declaration in accordance with sub-section (1) of this section shall be made by order and shall contain a description of the declared area.

(4) The powers conferred by this section shall be in addition to the powers conferred by section 4.

### PART III.—COMMISSIONERS

Appointment  
of Commis-  
sioners.

7. For the purpose of assessing any damage caused by any riot or unlawful assembly and of awarding compensation in respect thereof, and otherwise for the purposes of this Law, the Governor may appoint a Commissioner or Commissioners (in this Law referred to as "the Commissioner") with such powers and duties as are specified in this Law.

Duties of the  
Commis-  
sioner.

8. It shall be the duty of the Commissioner—

- (a) to ascertain by personal inquiry the amount of the damage in respect of which compensation is payable ;
- (b) to report the amount of damage to the Governor in Council ;
- (c) to allot compensation to any person who has satisfied the Commissioner as to the validity of his claim.

Powers of the  
Commis-  
sioner.

9. (1) The Commissioner shall have and exercise the powers following :—

- (a) all the powers of a Magistrate conferred by any Law of the Region for the purpose of summoning witnesses and enforcing the attendance of persons, the production of documents, the administration of oaths, the issue of search warrants and any other powers appertaining to a Magistrate under any such Law which may reasonably be required for the discharge of his duties ;
- (b) the power to call upon any person to declare on oath the amount of any damage which he claims to have sustained ;
- (c) the power to call upon any person to furnish to him in such form as he may demand a full return in writing of all movable and immovable property which such person possesses, and his total annual income from all sources.

(2) Any person who, without reasonable excuse, the proof of which shall be upon him, within such time as may be fixed by the Commissioner for the purpose, refuses or neglects to furnish to the Commissioner any return demanded by the Commissioner by virtue of the powers conferred by sub-section (1) of this section shall be guilty of an offence, and shall be liable on conviction to a fine of twenty-five pounds or imprisonment for three months or both such fine and imprisonment.

10. The Commissioner shall not be liable, either civilly or criminally, in respect of anything which he may have done or may have omitted to do, when acting in good faith, in pursuance of his duties and powers under this Law.

Protection of the Commissioner.

#### PART IV.—ASSESSMENT OF DAMAGE AND COMPENSATION

11. (1) Before assessing any damage the Commissioner shall give notice in such manner as may be prescribed by order made under section 5, or in the absence of such order in such manner as he may deem appropriate, either generally with reference to damage in the riot area or part thereof, or particularly with reference to any specified property, stating :—

Notice of assessment.

- (a) the time and place at which he proposes to hold his inquiry ;
- (b) the manner in which claims for compensation shall be presented to him ;
- (c) a date (being not less than one month from the date of the notice) after which no claims for compensation will be entertained.

(2) No claim for compensation which is presented after the date fixed in any notice given in the last preceding sub-section shall be entertained by the Commissioner unless, upon good cause being shown, he shall otherwise order.

(3) If any claimant is aggrieved by a refusal of the Commissioner to make an order under the provisions of sub-section (2) of this section he may petition the Governor in Council, who may direct that such an order shall be made by the Commissioner.

12. (1) Where the Commissioner receives notice that two or more persons make conflicting claims to be entitled to compensation in respect of any damage which it is his duty to assess he shall determine, for the purpose of assessing the damage in question, the matter at issue between them.

Conflicting claims.

(2) Where the Commissioner has determined any conflicting claims to compensation in accordance with sub-section (1) of this section and a claimant is aggrieved by his decision he may appeal to the High Court against that decision.

(3) Nothing in this section shall confer on any person a right of appeal against the amount at which damage is assessed by the Commissioner.

Assessment to be conclusive.

13. Any assessment of damage made by the Commissioner in accordance with the provisions of this Law shall be conclusive as to the amount of such damage :

Provided that the Governor in Council may in any case direct a re-assessment.

#### PART V.—RECOVERY OF COMPENSATION

Compensation to be discharged by local government council.

14. (1) The Commissioner shall, upon completion of the assessment under Part IV, inform the council concerned of the amount of the assessed damage and furnish particulars to the council specifying—

- (a) the respective premises, property or articles upon which the assessment is made ;
- (b) the amount of the assessment in each case ;
- (c) the persons (if any) amongst whom liability for the payment of compensation has been apportioned in accordance with directions under section 5.

(2) Such proportion of any assessed damage which was directed to be recovered by the Governor in Council in accordance with Part II shall be paid by the council into the Riot Damage Fund in accordance with section 19 and such amount shall be charged upon the revenues of the council.

Schemes for recovery of compensation.

15. (1) A council may frame and submit to the Governor in Council a scheme for the recovery of any amounts charged upon its revenue by section 14.

(2) Subject to any direction of the Governor in Council under section 5, a scheme may provide for the recovery of the amounts charged upon the revenues of the council by means of—

(a) the levying of a rate by the rating authority of the area upon the persons residing or owning property in the riot area in any manner (whether or not specified in the Instrument relating to the rating authority) in which a rate may be levied under the Local Government Law ; or

(b) any other method approved by the Governor in Council.

(3) Without prejudice to the generality of sub-sections (1) and (2) of this section a scheme may provide for—

(a) the application, for the purposes of the scheme, of any of the provisions of the Local Government Law or any regulations made under such Law with respect to the assessment, collection or enforcement of rates levied thereunder ;

(b) the exemption any area or any class of persons from the operation of the scheme ;

(c) the levying of a rate in respect of more than one financial year.

16. (1) The Governor in Council may make an order approving a scheme submitted to him under section 15 or rejecting it or approving it with such modifications as he thinks fit. Approval of schemes.

(2) A scheme, when approved, shall be published in the Gazette and shall have effect as if enacted in this Law.

17. A council may frame and submit to the Governor in Council a supplementary scheme for the amendment of a scheme in force with respect to its area and all the provisions of sections 15 and 16 shall apply in relation to a supplementary scheme as they apply in relation to a scheme framed and submitted in accordance with those sections. Supplementary schemes.

18. Notwithstanding anything in the Local Government Law, it shall not be lawful for a council to raise a loan for the purpose of fulfilling its functions under this Law. Prohibition of borrowing.

#### PART VI.—PAYMENT OF COMPENSATION

19. (1) Where an order has been made under Part II for the recovery of assessed damage and the costs of suppression of a riot or unlawful assembly, there shall be established in respect of that riot or unlawful assembly a fund, to be called the "Riot Damage Fund" and to be kept by the Accountant-General. Riot damage fund.

(2) There shall be paid into the Riot Damage Fund—

(a) the amounts payable by the council in accordance with section 14 ; and

(b) the amounts (if any) equivalent to the proportion of the assessed damage payable by the Government in accordance with section 4.

20. (1) Out of a Riot Damage Fund there shall be paid—

(a) the compensation payable in respect of the assessed damage ; Payments of compensation.  
(b) such sums in connection with the expenditure incurred by the Government of the Region in suppressing the said riot or unlawful assembly as the Governor in Council may direct.

(2) Payments of compensation or instalments thereof shall be made by the Accountant-General upon the authority of the Commissioner, at such time, in such manner and in such instalments as the Commissioner may determine.

(3) The Commissioner may—

(a) before authorising any payment of compensation require any person claiming to be entitled thereto to satisfy him that he is so entitled ;

(b) in the case of a dispute as to the person entitled to compensation in respect of any assessed damage, withhold payment until the matter in difference has been finally determined by a court of competent jurisdiction.

Effect of  
payment.

21. Payment by the Accountant-General upon the authority of the Commissioner in accordance with section 20 of compensation in respect of any damage shall absolutely discharge the Government, any officer of the government, and any council from liability in respect of such damage.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*

Assented to in Her Majesty's name this 29th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 24



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO PROHIBIT THE WEARING OF UNIFORMS IN CONNECTION WITH POLITICAL OBJECTS AND THE MAINTENANCE BY PRIVATE PERSONS OF ASSOCIATIONS OF MILITARY OR SIMILAR CHARACTER : TO MAKE FURTHER PROVISION FOR THE PRESERVATION OF PUBLIC ORDER ON THE OCCASION OF PUBLIC PROCESSIONS AND MEETINGS AND IN PUBLIC PLACES.

[By Notice]

Date of  
commence-  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

Enactment.

1. This Law may be cited as the Public Order Law, 1957, and shall come into operation on a date to be appointed by the Governor by notice in the Regional Gazette.

Short title  
and com-  
mencement.

Interpretation.

2. In this Law, unless the context otherwise requires—

“the Attorney-General” means the Attorney-General of the Region ;

“Commissioner of Police” means the Commissioner of Police of the Region acting with the prior general or special consent of the Governor-General published in the Gazette ;

“High Court” means the High Court established for the Region ;

“meeting” means a meeting held for the purpose of the discussion of matters of public interest or for the purpose of the expressions of views on such matters ;

“the Minister” means the Regional Minister for the time being charged, in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954, with responsibility for the exercise of the powers and performance of the duties conferred and imposed by this Law on the Minister ;

“private premises” means premises to which the public have access (whether on payment or otherwise) only by permission of the owner, occupier, or lessee of the premises ;

“public meeting” includes any meeting in a public place and any meeting which the public or any section thereof are permitted to attend, whether on payment or otherwise ;

“public place” means any highway, public park or garden, any sea beach, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not ; and includes any open space to which, for the time being, the public have or are permitted to have access, whether on payment or otherwise ;

“public procession” means a procession in a public place ;

“superior police officer” means any of the following officers acting in the case of federal officer with the prior general or special consent of the Governor-General published in the Gazette, namely—

(a) any police officer of or above the rank of cadet in the Nigeria Police Force ;

(b) a pay and quartermaster and a bandmaster of the Nigeria Police Force and a chief officer of a Nigeria police fire brigade ;

(c) in a province or division, an administrative officer appointed in respect of that province or division under the provisions of section 8 of the Police Ordinance ; and

(d) in the area of a local government council in which no members of the Nigeria Police Force are for the time being stationed, the chief officer of a local government police force maintained by that Council or by a joint committee established under the Local Government Police Law, 1955, to which that council contributes ;

“seat of government” means that area within a radius of ten miles of Mapo Hill ;

“Uniform” does not include any form of customary dress.

Cap. 172.

Law No. 21  
of 1955.

3. (1) Subject as hereinafter provided, any person who in any public place or at any public meeting wears uniform signifying his association with any political organisation or with the promotion of any political object, shall be guilty of an offence :

Prohibition of uniforms in connection with political objects.

Provided that if a superior police officer is satisfied that the wearing of any such uniform as aforesaid on any ceremonial, anniversary, or other special occasion, will not be likely to involve risk of public disorder, he may by writing under his hand permit the wearing of such uniform on that occasion either absolutely or subject to such conditions as may be specified.

(2) Where any person is charged before any court with an offence against this section, no further proceedings in respect thereof shall be taken against him without the consent of the Attorney-General except such as the court may think necessary by remand (whether in custody or on bail) or otherwise to secure the due appearance of the person charged, so, however, that if that person is remanded in custody, he shall, after the expiration of a period of twenty-one days from the date of which he was first remanded, be entitled to be discharged from custody on entering into a recognisance without sureties, unless within that period the Attorney-General has consented to such further proceedings as aforesaid.

4. (1) If the member or adherents of any association of persons, whether incorporated or not, are—

Prohibition of quasi-military organisations.

(a) organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or of the armed forces of the Crown ; or

(b) organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use or display of physical force in promoting any political object, or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that purpose ;

then any person who takes part in the control or management of the association, or in so organising or training as aforesaid any members or adherents thereof, shall be guilty of an offence :

Provided that, in any proceedings against a person charged with the offence of taking part in the control or management of such an association as aforesaid, it shall be a defence to that charge to prove that he neither consented to nor connived at the organisation, training or equipment of members or adherents of the association in contravention of the provisions of this section.

(2) No prosecution shall be instituted under this section without the consent of the Attorney-General.

(3) If, upon application being made by the Attorney-General it appears to the High Court that any association is an association of which members or adherents are organised, trained or equipped in contravention of the provisions of this section, the Court may make such order as appears necessary to prevent any disposition, without

the leave of the Court, of property held by or for the association and in accordance with rules of court (which the Chief Justice is hereby empowered to make) may direct an enquiry and report to be made as to any such property as aforesaid and as to the affairs of the association, and may make such further orders as appear to the Court to be just and equitable for the application of such property—

(a) in or towards the discharge of the liabilities of the association lawfully incurred before the date of the application or since that date with the approval of the Court ;

(b) in or towards the repayment of moneys to persons who become subscribers or contributors to the association in good faith and without knowledge of any such contravention as aforesaid ; and

(c) in or towards any costs incurred in connection with any such enquiry and report as aforesaid or in winding up or dissolving the association ;

and may order that any property which is not directed by the Court to be so applied as aforesaid shall be forfeited to the Crown.

(4) In any criminal or civil proceedings under this section, proof of things done or of words written, spoken or published (whether or not in the presence of any party to the proceedings) by any person taking part in the control or management of an association or in organising, training or equipping members or adherents of an association shall be admissible as evidence of the purposes for which, or the manner in which, members or adherents of the association (whether those persons or others) were organised, or trained or equipped.

(5) If a Judge of the High Court is satisfied by information on oath that there is reasonable ground for suspecting that an offence against this section has been committed, and that evidence of the commission thereof is to be found at any premises or places specified in the information, he may, on an application made by a superior police officer, grant a search warrant authorising any such officer named in the warrant together with any other persons specified in the warrant and any other police officers to enter the premises or place at any time within one month from the date of the warrant, if necessary by force, and to search the premises or place and every person found therein, and to seize anything found on the premises or place or on any such person which the officer has reasonable ground for suspecting to be evidence of the commission of such an offence as aforesaid :

Provided that no woman shall, in pursuance of a warrant issued under the provisions of this sub-section, be searched except by a woman.

(6) Nothing in this section shall be construed as prohibiting the employment of a reasonable number of persons as stewards to assist in the preservation of order at any public meeting held upon private premises, or the making of arrangements for that purpose or the instruction of the persons to be so employed in their lawful duties as such stewards, or their being furnished with badges or other distinguishing signs.

5. (1) Any person who, while present at any public meeting or on the occasion of any public procession, has with him any offensive weapon, otherwise than in pursuance of lawful authority, shall be guilty of an offence.

Prohibition of offensive weapons at public meetings and processions.

(2) For the purpose of this section, a person shall not be deemed to be acting in pursuance of lawful authority unless he is acting in his capacity as a servant of the Crown, or as special constable, or as a member of a local government police force.

6. Any person who in any public place or at any public meeting uses threatening, abusive or insulting words or behaviour, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned, shall be guilty of an offence.

Prohibition of offensive conduct conducive to breaches of the peace.

7. (1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting is called together, shall be guilty of an offence and shall be liable on conviction to a fine of ten pounds or to imprisonment of one month or to both such fine and imprisonment.

Penalty on endeavour to break up public meeting.

(2) Any person who incites others to commit an offence under this section shall be guilty of a like offence.

(3) If any police officer reasonably suspects any person of committing an offence under the foregoing provisions of this section, he may, if requested so to do by the chairman of the meeting require that person to declare to him immediately his name and address and, if that person refuses or fails so to declare his name and address or gives a false name and address, he shall be guilty of an offence under this sub-section and liable on conviction to a fine of forty shillings and, if he refuses or fails so to declare his name and address or if the police officer reasonably suspects him of giving a false name and address, the police officer may arrest him without a warrant.

(4) The provisions of sub-section (3) of this section with respect to any power conferred on a police officer shall not have effect until the Governor-General has, by notice in the Gazette, consented to the conferment of that power.

8. (1) If the Minister is of the opinion that it is expedient in the interests of good order in the Region or any area within the Region that notice should be given of public meetings or public processions intended to be held in the Region or that area, he may by order published in the Regional Gazette direct that not less than twenty-four hours' notice in writing shall be given to such person or authority as may be specified in the order of every public meeting or public procession, or of any public meeting or public procession of such class as may be specified in the order, which is intended to be held in the Region or that area.

Power to require notice of public meetings and processions.

(2) The notice given in pursuance of an order made under this section shall be signed by the person, or one of the persons, organising the public meeting or public processions to which the notice relates,

or, if the meeting or procession is organised by a body of persons having a director, manager, secretary or other officer, by any such officer, and shall specify—

(a) the name and address of such person or body of persons ; and

(b) (i) in the case of a public meeting, the time and place at which the meeting will be held ;

(ii) in the case of a public procession the route to be taken by the procession and the time and place at which the procession will start ; and the person by whom the notice is given shall forthwith furnish such further particulars as the person or authority receiving the notice may reasonably deem necessary for the purpose of determining whether any exercise of the powers conferred by section 9 may be expedient.

(3) Any person who—

(a) knowingly organises or assists in organising any public meeting or public procession intended to be held without notice thereof being given as required by an order made under this section ; or

(b) in any notice given in pursuance of an order made under this section, or in any particulars furnished to a person or authority receiving such notice, knowingly or recklessly makes any false statement ; or

(c) refuses or neglects to furnish any particulars which he is required to furnish under the provisions or sub-section (2) of this section,

shall be guilty of an offence.

Powers for the preservation of public order in respect of public meetings and processions.

9. (1) If a superior police officer, having regard to the time or place at which and the circumstances in which any public meeting or public procession is taking place or is intended to take place and (in the case of a public procession) to the route taken or proposed to be taken by the procession, has reasonable grounds for apprehending that the meeting or procession may occasion serious public disorder he may give directions imposing upon the persons organising or taking part in the meeting or procession such conditions as appear to him necessary for the preservation of public order including (in the case of a public procession) conditions prescribing the route to be taken by the procession and conditions prohibiting the procession from entering any public place specified in the directions :

Provided that no conditions restricting the display of flags, banners or emblems shall be imposed under the provisions of this sub-section except such as are reasonably necessary to prevent risk of a breach of the peace.

(2) (a) If at any time a superior police officer is of opinion that, by reason of particular circumstances existing in the area of a Divisional or District Council or any part thereof, the powers conferred upon him by sub-section (1) of this section will not be sufficient to enable him to prevent serious public disorder he shall, except as provided in

paragraph (c) of this sub-section, apply to the council for an order prohibiting for such period not exceeding three months as may be specified in the application, the holding of all public processions or of any class of public processions so specified either in the area of that council or in that part thereof, as the case may be, and upon receipt of the application, the council may make an order either in terms of the application or with such modifications as they think fit.

(b) Where—

(i) the council declines to make an order upon an application ; or

(ii) the council makes an order with modifications and a superior police officer is of the opinion that the order will not be sufficient to meet the circumstances existing,

the superior police officer may himself make an order prohibiting for such period not exceeding fourteen days the holding of all public processions or of any class of public processions so specified either in the area of that council or in that part thereof, as the case may be, and may apply to the Governor who may in his discretion make a similar order extending the period of prohibition up to three months.

(c) Where a superior police officer is of the opinion that it is necessary for the purpose of preventing an immediate danger of a breach of the peace he may, whether or not application has been made to the council, himself make an order prohibiting for such period not exceeding fourteen days the holding of all public processions or of any class of public processions so specified either in the area of that council or in that part thereof, as the case may be and may apply to the Governor who may in his discretion make a similar order extending the period of prohibition up to three months.

(3) If at any time the Commissioner of Police is of the opinion that, by reason of particular circumstances existing in the seat of government or in any part thereof, the powers conferred by sub-section (1) of this section will not be sufficient to enable him to prevent serious public disorder being occasioned by the holding of public processions, he may make an order prohibiting for such period not exceeding fourteen days as may be specified in the order the holding of all public processions or of any class of public processions either in the seat of government or in any part thereof, as the case may be and may apply to the Governor who may in his discretion make a similar order extending the period of prohibition up to three months.

(4) An order made under this section shall be published in the Regional Gazette or in such other manner as may be deemed sufficient.

(5) An order made under this section shall have effect from the time when it is first published in any manner authorised by the provisions of this section or from such later time as may be specified in the order, and a certificate under the hand of the secretary of the council or the superior police officer (as the case may require) specifying the time of publication (other than a publication in the Regional Gazette) shall be conclusive evidence thereof in all legal proceedings.

(6) Any person who knowingly—

(a) fails to comply with any directions given or conditions imposed under this section ; or

(b) organises or assists in organising any public meeting or public processions held or intended to be held in contravention of an order made under this section ; or

(c) attends or takes part in, or incites any other person to attend or take part in, any such meeting or procession, shall be guilty of an offence.

**Enforcement.**

10. (1) Any person who commits an offence against section 4 of this Law shall be liable on summary conviction to imprisonment for six months or to a fine of one hundred pounds, or to both such imprisonment and fine, and, on conviction by the High Court, to imprisonment for two years or to a fine of five hundred pounds or to both such imprisonment and fine.

(2) Any person guilty of any other offence against the provisions of this Law shall be liable to imprisonment for three months or to a fine of fifty pounds, or to both such imprisonment and fine.

(3) A police officer, acting with the prior general or special consent of the Governor-General published in the Gazette, may without warrant arrest any person reasonably suspected by him to be committing an offence against section 3, 5, 6, 8 or 9 of this Law.

(4) In the area for which the force is established, a member of a local government police force being not below a rank to be specified by the Governor in his discretion shall have the powers conferred upon a police officer by sub-section (3) of section 7 and sub-section (3) of this section.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*

## THE PUBLIC HEALTH LAW, 1957

## ARRANGEMENT OF SECTIONS

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Assented to in Her Majesty's name this 29th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 25



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO MAKE PROVISION FOR PUBLIC HEALTH.

[By Notice] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :—

PART I.—INTRODUCTORY

1. (1) This Law may be cited as the Public Health Law, 1957, and shall come into operation on a date to be appointed by the Governor in the Regional Gazette. Short title, commencement and application.

(2) This Law shall apply throughout the Region.

Interpreta-  
tion.

## 2. In this Law—

“adult” means a person who is or appears to be fourteen years of age or over ;

“child” means a child who is or appears to be under fourteen years of age ;

“the court” means a magistrate’s court or a customary court upon which jurisdiction to enforce the provisions of this Law is conferred ;

“competent council” means a local government council upon which the functions of a council under this Law are conferred by Instrument made under the Local Government Law, 1957.

“dairy” means and includes any farm house, cowshed, milk store, milk shop or other place from which milk, other than imported preserved milk, is supplied, or in which milk, other than such imported milk, is kept for sale ;

“health officer” includes a medical officer of health, a health superintendent or inspector or other person acting under the authority, whether general or special, of the medical officer of health, and whether such superintendent, inspector or other person is serving in the medical or sanitary departments of the Government of the Region or in the service of a competent council ;

“health superintendent” includes senior health superintendent and assistant health superintendent ;

“notifiable infectious disease” in relation to human beings, means plague, cholera, yellow fever, smallpox, typhus, relapsing fever, cerebro-spinal meningitis, chicken pox, diphtheria, scarlet fever, puerperal fever, whooping cough, measles, tetanus, rabies, typhoid, dysentery, poliomyelitis, tuberculosis, leprosy, yaws and trypanosomiasis, and includes any disease of an infectious or contagious nature which the Minister may by public notice declare to be a notifiable infectious disease within the meaning of this Law ;

“medical officer” means a medical officer in the service of the Government of the Region or of a competent council and includes a qualified medical practitioner employed by the Government of the Region or a competent council ;

“medical officer of health” means a person appointed under section 3 ;

“the Minister” means the Regional Minister charged with responsibility for health matters in accordance with the provisions of the Nigeria (Constitution) Order in Council, 1954 ;

“parent” means the father or mother of a child and includes any having the care or custody of a child ;

“premises” means and includes messuages, buildings, lands, tenements, hereditaments, vehicles, tents, vans, structures of any kind, drains, ditches or places open, covered or enclosed, and any ship or vessel in any port or on any inland waters.

3. (1) The Governor may appoint a qualified medical practitioner to be government medical officer of health for the purposes of this Law in any specified area or generally for the Region and in the absence of any such appointment for any area the medical officer in medical charge of the area shall be the medical officer of health for the area.

Officers of health.

(2) A competent council may appoint a qualified medical practitioner to be medical officer of health of the council for the purposes of this Law in the area of authority of the council.

Powers of Senior Health Officers to direct.

4. Every senior health officer in the service of the Government of the Region shall be a medical officer of health and whilst on duty in any place shall have power to direct the exercise of the powers and duties conferred by this Law on any health officer and for that purpose to give instructions to such officers whether in the employment of the government or of a competent council.

Duties of Medical Officers of Health and councils.

5. (1) It shall be the duty of every medical officer of health to inspect the areas to which he is appointed to abate nuisances and otherwise to enforce the powers vested in him under this Law.

(2) It shall be the duty of every competent council in an area in respect of which no medical officer of health is appointed to ensure that the provisions of this Law are enforced.

#### PART II.—NUISANCES

6. The following shall be deemed to be nuisances :—

Nuisances which may be abated summarily.

- (a) any premises in such a condition as to be injurious to health ;
- (b) any premises which are so dark or so ill-ventilated or so damp or in such a condition of dilapidation, as to be dangerous or prejudicial to the health of the persons living or employed therein ;
- (c) any premises which contain rat holes or rat runs or other similar holes or which are infested with rats or in which the ventilating openings are not protected by gratings in such manner as to exclude rats therefrom ;
- (d) any pool, ditch, gutter, watercourse, cesspool, drain, ashpit, refuse pit, latrine, dust-bin, washing place, well, water tank, barrel, sink, collection of sullage water, receptacle containing stagnant water, or other thing in such a state or condition as to be injurious to health ;
- (e) any animal or bird so kept as to be injurious to the health of man or molesting to neighbours and any animal or bird suffering from a noxious or contagious disease ;
- (f) any hole or excavation, well, pond or quarry in or near any street which is or is likely to become dangerous to the public ;
- (g) any stable, cowhouse, pig-sty, or other premises for the use of animals or birds which are in such a condition as to be injurious to the health of man or of such animals or birds ;

(h) any noxious matter or water flowing or discharged from any premises into any public street or into any gutter or side channel of any street ;

(i) any accumulation or deposit of rubbish of any kind whatever, or any decaying animal or vegetable matter, whether in the form of refuse, manure, decayed or tainted food, or in any form whatever ;

(j) any growth of weeds, cactus, long grass, reeds or wild bush of any kind which may be injurious to health, and any vegetable that of itself is dangerous to children or others either by its effluvia or through eating its leaves, seeds, fruits or flowers ;

(k) any premises certified by the health officer to be so overcrowded as to be injurious or dangerous to the health of the inmates ;

(l) any premises on which servants or workmen are employed and suitable and adequate sanitary conveniences are not provided ;

(m) any act, omission, place or thing which is or may be dangerous to life, or injurious to health or property ;

(n) any plant or tree which may be specified by the Minister by a notice published in the Regional Gazette as being favourable to the breeding of mosquitoes, found in any area which may be specified in the said notice.

Notice  
regarding  
abatement of  
nuisance.

7. (1) A health officer shall, if satisfied of the existence of a nuisance, serve a notice, hereinafter called an abatement notice, on the person by whose act, default or sufferance the nuisance arises or continues, or, if such person cannot be found, on the occupier or owner of the premises on which the nuisance arises requiring him to abate the same within the time specified in the notice, and to execute such works, and to do such things as may be necessary for that purpose, and, if the health officer think it desirable (but not otherwise), specifying any works to be executed.

(2) The health officer may also by the same or another notice served on such person, occupier or owner require him to do what is necessary for preventing the recurrence of the nuisance, and, if he think it desirable, specify any works to be executed for that purpose, and may serve that notice notwithstanding that the nuisance may for the time being have been abated if the health officer consider that it is likely to recur on the same premises.

(3) Where the nuisance arises from any want or defect of a structural character, or where the premises are unoccupied, the notice shall be served on the owner.

(4) Where a notice has been served on any person (including an occupier or owner) under this section and either—

(a) the nuisance arose from the wilful act or default of such person ;  
or

(b) such person fails to comply with any of the requisitions of the notice within the time specified,

he shall be liable to a fine of fifty pounds or six months imprisonment.

## 8. (1) If either—

(a) a person (including the occupier or owner) on whom an abatement notice has been served as aforesaid makes default in complying with any of the requisitions thereof within the time specified ; or

On non-compliance with notice, court may make nuisance order.

(b) the nuisance, although abated since the service of notice, is, in the opinion of the health officer, likely to recur on the same premises, the health officer shall make a complaint and the court hearing the complaint may make on such person a summary order, in this Law referred to as a nuisance order.

(2) A nuisance order may be an abatement order, a prohibition order, or a closing order, or a combination of such orders.

(3) An abatement order may require a person to comply with any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in such order.

(4) A prohibition order may prohibit the recurrence of a nuisance.

(5) An abatement order or prohibition order shall, if the person on whom the order is made so requires, or the court considers it desirable, specify the work to be executed by such person for the purpose of abating or preventing the recurrence of the nuisance.

Execution of works.

(6) A closing order may prohibit any premises from being used for human habitation.

(7) A closing order shall only be made where it is proved to the satisfaction of the court that, by reason of a nuisance, premises are unfit for human habitation, and, if such proof is given, the court shall make a closing order, and may impose a fine of fifty pounds or six months imprisonment.

(8) The court when satisfied that the premises have been rendered fit for human habitation, may declare that it is so satisfied and cancel the closing order.

(9) If a person fails to comply with the provisions of a nuisance order with respect to the abatement of a nuisance he shall, unless he satisfies the court that he has used all due diligence to carry out such order, be liable to a fine of one pound a day during his default ; and if a person knowingly and wilfully acts contrary to a prohibition or closing order he shall be liable to a fine of two pounds a day during such contrary action ; moreover the health officer may enter the premises to which a nuisance order relates, and abate or remove the nuisance, and do whatever may be necessary in execution of such order.

9. (1) If an order of the court or notice of the health officer for the abatement of a nuisance by the occupier or owner is not complied with because the occupier or owner cannot be found or because the occupier or owner is imprisoned, the health officer may apply to the

Power to sell premises.

court for an order to have the nuisance abated, and all costs of and expenses incurred in connexion therewith shall be paid to the health officer by the occupier or owner, and may be recovered as a debt.

(2) If no owner or occupier can be found or if the expenses are not paid within six months after the completion of the abatement of such nuisance, the court may order the premises upon which the work shall have been done, or any part thereof, or any movable property found thereon belonging to such occupier or owner to be sold to defray the said cost and expenses.

(3) The rules of court relating to sales in execution of decrees shall *mutatis mutandis* apply to such sale.

Right of entry.

10. (1) (a) It shall be lawful for the health officer to enter any premises at any time between the hours of six in the morning and six in the evening for the purpose of examining as to the existence thereon of any nuisance, or until a nuisance found to exist has been abated or the works ordered to be done are completed or the closing order is cancelled as the case may be, and when a nuisance order has not been complied with or has been infringed, to enter premises at all reasonable hours for the purpose of securing the execution of the order.

(b) If the admission to premises is refused, the court may require the person having the custody of the premises to admit the health officer into the premises during the prescribed hours, and if no person having the custody of the premises is found the court may authorise the health officer forcibly to enter on such premises.

(2) Any such order shall continue in force until the work for which the entry was necessary has been done.

(3) Any person who refuses to obey such order or in any way hinders, prevents or obstructs the execution of the order shall be liable to a fine of fifty pounds or six months imprisonment.

Cost of execution relating to nuisance.

11. All reasonable costs and expenses incurred in serving the notice, making a complaint or obtaining an order or in carrying the order into effect shall be deemed to be money paid at the request of the person on whom the order is made, or if no order is made, but the nuisance is proved to have existed when a notice was served or the complaint made, then of the persons by whose act, default or sufferance the nuisance was caused ; and in the case of nuisances caused by the act or default of the owner of the premises, such cost and expenses may be recovered from any person who is for the time being owner of such premises.

### PART III.—NOTIFIABLE INFECTIOUS DISEASES

#### 12. The expression—

Interpretation.

“appropriate medical officer of health”, in relation to any function conferred by this part, means the government medical officer of

health or the medical officer of health of the competent council for the area within which the power is to be exercised or the duty to be discharged.

13. (1) When an inmate of any building used for human habitation, not being a place in which persons suffering from a notifiable infectious disease are received, is suffering from a notifiable infectious disease— Obligation to notify infectious diseases.

(a) the head of the family to which that inmate (in this section referred to as "the patient") belongs and, in his default, the nearest relatives of the patient present in the building or in attendance on the patient, and in default of such relatives, every person in charge of or in attendance on the patient, and, in default of any such person, the occupier of the building, shall, as soon as he becomes aware that the patient is suffering from a notifiable infectious disease, send notice thereof to the appropriate medical officer of health ;

(b) every medical practitioner attending on, or called in to visit, the patient shall, as soon as he becomes aware that the patient is suffering from a notifiable infectious disease, send to the appropriate medical officer of health a certificate stating the name of the patient, the situation of the building, and the disease from which, in the opinion of that medical practitioner, the patient is suffering.

(2) If anyone liable to give notice fails to give the notice required, he shall be liable to a fine of fifty pounds or to imprisonment for six months :

Provided that if a person is not liable to give notice in the first instance but only in default of some other person, he shall not be liable to a penalty if he satisfies the court that he had reasonable cause to suppose that the notice had been duly given.

14. Whenever in the opinion of the appropriate medical officer of health there is reason to suspect that a person has died of a notifiable infectious disease, it shall be lawful for the appropriate medical officer of health to order that the body of the deceased person shall be conveyed to such place as the appropriate medical officer of health shall appoint, for such examination as he may consider necessary. Power to order post-mortem examination.

15. A health officer may cause to be placed on or about any premises in which any case of a notifiable infectious disease has occurred any mark which he may deem advisable for the purpose of denoting the occurrence of such disease, and any person removing or obliterating any such mark without the authority of a health officer shall be liable to a fine of fifty pounds or six months imprisonment. Marking of premises where infectious disease has occurred.

16. A health officer may order the disinfection of any building in which any case or suspected case of a notifiable infectious disease has occurred and of any article or thing in such building. Disinfection

Destruction  
of buildings,  
etc.

17. (1) The appropriate medical officer of health, or if no such officer has been appointed, the competent council for the area may order the destruction of any building in which a case of a notifiable infectious disease has occurred, or of any article or thing which may be considered necessary in the interest of the public health.

(2) Any such order shall be carried out in such manner and by such person as the appropriate medical officer of health or the competent council may direct.

Destruction  
of animals.

18. The appropriate medical officer of health may order the destruction of any animals which he has reason to believe are likely to be agents in the transmission of a notifiable infectious disease, and may dispose of the carcasses of any animals so destroyed in such manner as he may think proper.

Removal and  
detention of  
infected  
persons  
and  
suspects.

19. The appropriate medical officer of health may cause any person suffering or suspected to be suffering from a notifiable infectious disease to be removed to a Government hospital or other place provided by the Government or by a local government council to be detained there until he can be discharged with safety to the public.

Isolation of  
contacts.

20. The appropriate medical officer of health may order any person living in the same house or compound, or otherwise brought into contact with any person suffering or suspected to be suffering from a notifiable infectious disease, to be isolated in such place as the Government or a local government council may provide, until he can be discharged with safety to the public, and every person authorised by the appropriate medical officer of health to carry out such order may use such force as is necessary to compel obedience to such order.

Removal of  
bedding, and  
clothing, for  
disinfection.

21. (1) A health officer may by notice in writing require the owner of any bedding, clothing or other articles, which have been exposed to infection to cause the same to be delivered to such health officer for removal for the purpose of disinfection.

(2) The bedding, clothing and articles shall be disinfected by the health officer, and shall be brought back and delivered to the owner free of cost.

Letting  
infected  
houses.

22. Any person who knowingly lets for hire any house in which any person has been suffering from any notifiable infectious disease without having had such house and the articles therein properly disinfected to the satisfaction of the appropriate medical officer of health shall be liable to a fine of fifty pounds or imprisonment for six months.

Acts tending  
to the spread  
of disease.

23. Any person who—

(a) while suffering from a notifiable infectious disease or being in charge of any person so suffering, does any act or thing which tends to the spread of the disease ; or

(b) gives, lends, sells, transmits or exposes without previous disinfection any bedding, clothing or other article which has been exposed to infection shall be liable to a fine of fifty pounds or to imprisonment for six months.

24. Any person who, while suffering from any notifiable infectious disease, enters any public conveyance without previously notifying to the person in charge thereof that he is so suffering, shall be liable to a fine of fifty pounds or to imprisonment for six months, and in addition may be ordered to pay to the owner of the public conveyance the amount of any expense such owner may incur in disinfecting such public conveyance.

Infected persons entering public conveyance without notice to the person in charge.

25. Every person in charge of any public conveyance shall to the satisfaction of the appropriate medical officer of health immediately provide for the disinfection of such public conveyance after it has to his knowledge conveyed any person suffering from any notifiable infectious disease, and if he fails to do so, shall be liable to a fine of five pounds :

Disinfection of public conveyances.

Provided that where the person in charge or owner of any such public conveyance is unable in the opinion of the appropriate medical officer of health effectually to cleanse and disinfect such public conveyance the same may be cleansed and disinfected by the appropriate medical officer of health at the expense of the person or owner.

26. Every health officer or police officer may apprehend and take, or cause to be apprehended or taken, to a hospital any person whom he shall find in any public street, public place, shop or public conveyance suffering from any notifiable infectious disease.

Apprehension of persons in public streets suffering from infectious disease.

27. (1) When any notifiable infectious disease is epidemic in any place, the Minister may appoint whatever medical or other officers he may think fit to be visitors therein.

Appointment of house visitors.

(2) Such officers may enter any premises in which there may be, or be suspected to be, any case of notifiable infectious disease and examine such premises and give such order as to the cleansing or disinfection thereof or otherwise as they shall consider necessary.

28. (1) Whenever a notifiable infectious disease shall have broken out in any place, the Minister may by public notice declare such place or any portion thereof to be an infected area and may in like manner order the evacuation of the whole or any part of such infected area.

Declaration of infected area and order for evacuation.

(2) It shall not be lawful for any person to reside or carry on business within any infected area or portion thereof which is comprised in an order for evacuation, or to enter or be therein, except when passing along a thoroughfare allowed to remain open to the public, without an order in writing to that effect signed by a medical officer and upon such conditions as such medical officer may in such order direct.

(3) Penalty for a first offence a fine of twenty-five pounds or three months' imprisonment and for subsequent offences a fine of fifty pounds or six months' imprisonment, or both.

Compensation.

29. (1) The owner of any building, article or thing destroyed under an order made in pursuance of sub-section (1) of section 17 and the owner of any animal killed under an order made in pursuance of section 18 shall be entitled to compensation to be paid either out of such moneys as may be provided by the Legislature of the Region for the purpose or out of the funds of a local government council as may be prescribed or as the Minister may direct.

(2) All claims for compensation under this section or under any regulation under section 33 shall be heard and determined by a compensation board which the Minister is hereby empowered to appoint, consisting of two persons, one of whom shall be unconnected with the Government service.

(3) The unofficial member of the board shall be entitled to his actual out-of-pocket expenses, and the Minister may, at his discretion, allow to him such further remuneration as he may think fit.

(4) In appointing any compensation board the Minister may—

(a) define the limits of the jurisdiction of the board ;

(b) appoint any member by name or *ex-officio* ;

(c) in case any person appointed shall be or become unable or unwilling to act, or shall die, appoint another member in his place.

(5) Every appointment made under this section shall be notified in the Regional Gazette.

(6) A compensation board shall have all the powers of the High Court of the Region to summon witnesses, and to call for the production of books, plans or documents and to examine witnesses and parties on oath and all persons summoned to attend and give evidence or to produce books, plans or documents shall be bound to obey the summonses served upon them as fully in all respects as if the summonses had been issued by the High Court of the Region and shall be entitled to like expenses as if they had been summoned to attend such court on a criminal trial, if the same shall be allowed by the board, but the board may disallow the whole or any part of such expenses in any case if they think fit.

(7) If the two members of a compensation board are unable to agree on the amount of compensation to be awarded (or on any point of practice or procedure arising before them) the amount of such compensation (and the point of practice or procedure) shall be referred for decision to a judge of the High Court of the Region who shall for purposes of the reference be deemed to be a member of the compensation board, and whose decision shall be deemed to be the decision of the board.

(8) The award of the compensation board shall be in writing, signed by the members or by the judge, as the case may be, and shall be final.

(9) Any witness who shall wilfully give false evidence in any proceedings before a compensation board shall be guilty of perjury and be liable to be prosecuted and punished accordingly.

30. Every claim for compensation shall, within two months after the happening of the event in respect of which the claim is made, be sent either directly to the compensation board or to a medical officer for transmission to such board : and no claim which has not been sent to either such board or officer within the said period of two months shall be entertained unless with the consent of the Minister.

Time within which claims for compensation shall be made.

31. No civil proceeding of any kind whatsoever shall, without the written consent of the Attorney-General, be brought against any person for damages or compensation in respect of any measures taken or to be taken under this Law to prevent the spread of any notifiable infectious disease.

Restriction on civil proceedings.

32. Where a person in charge of or in attendance on or living with a person suffering from a notifiable infectious disease is charged with an offence against this Law relative to such infectious disease, he shall be presumed to have known of the existence of such disease in such person unless and until he shows to the satisfaction of the court that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Presumption of knowledge.

33. The Minister may make regulations—

Power to make regulations.

(a) for isolating all persons suffering or suspected to be suffering from a notifiable infectious disease, or brought into contact with any person so suffering, or suspected ;

(b) for inspecting and granting permits to persons travelling by sea or land from a place where a notifiable infectious disease has occurred, and for disinfecting their clothes and effects ;

(c) for closing, destroying, disinfecting, cleaning or otherwise rendering harmless, houses, buildings, latrines, wells, dust-bins, dumping grounds and any place that by reason of the existence of infectious disease it may be deemed advisable so to deal with ;

(d) for prohibiting the removal of property from infected houses ;

(e) for prescribing the mode of burial or disposal of the bodies of persons dying from a notifiable infectious disease ;

(f) for the removal of persons from an infected area the evacuation of which has been ordered by the Minister ;

(g) for establishing a cordon around any place where a notifiable infectious disease has occurred or otherwise preventing persons departing from or going to any such place ;

(h) for prescribing the reporting of cases of sickness and death ;

(i) for the disposal or destruction of refuse and sewage ;

(j) for the erection of temporary huts, mortuaries and similar buildings by the chiefs or headmen of towns or villages ;

(k) prescribing the acts or things, done under any rule, in respect of which compensation may be paid ;

(l) for declaring whether compensation shall be paid out of general revenue of the Region, or out of the funds of a local government council ;

(m) for the publication within the area affected of any notice under section 28 or regulation made under this section ;

(n) for prescribing the procedure to be adopted by a compensation board ; and

(o) generally for the better carrying into effect of any of the provisions of this Law relating to infectious diseases.

#### PART IV—SALE OF FOOD

Power to inspect and condemn unsound food.

34. (1) A health officer may at all reasonable times examine any food intended for human consumption which has been sold, or is offered or exposed for sale or is in possession of or has been deposited with or consigned to, any person for the purpose of sale or of preparation for sale and if it appears to him to be unfit for human consumption or diseased or unwholesome may condemn the same and order it to be destroyed or so disposed of as to prevent it from being used for human consumption.

(2) Any person to whom food condemned under this section belongs or in whose possession or premises it was found shall be guilty of an offence and liable on conviction for the first offence to a fine of ten pounds for each article condemned and for every subsequent conviction to a fine of fifty pounds or imprisonment for six months.

(3) In any proceedings for an offence under this section the proof that any food condemned was not sold, offered, exposed for sale or in the possession of or deposited with or committed to any person for the purpose of sale or preparation for sale or that any such food was not intended for human consumption shall be upon the party charged with the offence.

Search Warrant.

35. (1) Where a magistrate is satisfied by information or on oath that there is in any building, carriage, receptacle or place any food intended for human consumption which is diseased or unwholesome or unfit for human consumption he may issue a search warrant authorising an officer of the court, a health officer, or a police officer to search such building, carriage, receptacle or place and seize and carry such food before the magistrate issuing the warrant or some other magistrate to be dealt with according to law.

(2) The provisions of sections 108 to 114 inclusive of the Criminal Procedure Ordinance shall apply in relation to search warrants issued under this section.

(3) Any person who hinders, prevents or obstructs any such officer in the performance of his duty under such search warrant shall be liable to a fine of ten pounds.

36. Subject to the provisions of this Law, a competent council may, with the approval of the Minister, make bye-laws for all or any of the following purposes—

Bye-laws as regards the slaughter of animals.

(a) licensing slaughter-houses and regulating the slaughter of animals intended for the food of man, and the management and use of slaughter houses ;

(b) providing for the inspection of such animals ;

(c) regulating the preparation and sale of meat ;

(d) prescribing charges for the use of slaughter houses, and fees for inspections and licenses ; and

(e) the prevention of unnecessary pain or suffering before or in the process of slaughtering animals, and prescribing the methods of slaughtering ;

(f) regulating the sale, preparation, storing and exposure for sale of food ;

(g) preventing the sale, preparation, manufacture, conveying or exposure for sale of food which is unwholesome or diseased ;

(h) licensing and regulating corn-mills, rice-mills, bakeries, aerated water manufactories and other establishments for the preparation of food and drink ;

(i) regulating and prescribing the cleanliness, water supply, drainage and sanitary conveniences of any premises in which food is sold, prepared, manufactured, kept or exposed for sale.

#### PART V—VACCINATION

37. (1) Every medical officer, medical officer of health and health officer shall be a public vaccinator for the purpose of this Part.

Public vaccinators.

(2) The Governor may appoint such additional persons as he may think necessary to be public vaccinators.

38. (1) Every adult and every child in the Region shall be liable to be vaccinated.

Liability for vaccination.

(2) Any medical officer, medical officer of health or health officer, may by notice in the form set out in the First Schedule hereto call upon any adult to attend within seven days of the service of such notice on him or them at such time and place as may be specified in such notice for examination and, if necessary, for vaccination, and such adult shall subsequently attend at such time and place as the public vaccinator may direct for the purpose of ascertaining whether or not the vaccination has been successful and, if necessary, for revaccination.

39. (1) Each medical officer, medical officer of health or health officer shall appoint the times and places at which parents may bring their children to be vaccinated.

Vaccination of children.

(2) The parent of any child shall within three months of the birth of such child bring such child to a public vaccinator at a time and place appointed under sub-section (1) for examination and, if necessary, for vaccination, and shall subsequently produce such child at such times and at such places as the public vaccinator shall direct for the purpose of ascertaining whether or not the vaccination has been successful, and, if necessary, for revaccination.

Power of competent council to make bye-laws.

40. (1) The Governor in Council in respect of the Region or of any province or area thereof, may by order apply the provisions of sub-section (2).

(2) When an order is made under the provisions of sub-section (1) a competent council within the area specified in the order may, with the approval of the Minister, make bye-laws for all or any of the following purposes :—

(a) appointing the times and places at which adults may attend and to which parents may bring children for vaccination ;

(b) requiring adults to attend and children to be brought before a public vaccinator for inspection and, if necessary, for vaccination or for revaccination ;

(c) prohibiting arm to arm vaccination either generally or in any specified area ;

(d) specifying penalties for breaches of any bye-law made under the provisions of this sub-section and providing for different penalties in the case of successive breaches ;

(e) generally for giving effect to the purposes of the provisions of this Part within its area.

(3) The provisions of this section shall be without prejudice to the powers conferred upon medical officers, medical officers of health and health officers by the provisions of sections 38 and 39 :

Provided that where a competent council makes bye-laws under the provisions of sub-section (2) then the provisions of sub-section (2) of section 38 and of section 39 shall not apply to the area in respect of which such bye-laws are made.

Governor in Council may order compulsory vaccination.

41. (1) The Governor in Council may by order direct that until further order, all adults and children in any area specified in such order who cannot produce satisfactory evidence of successful vaccination or of having been attacked by smallpox shall be vaccinated.

(2) An order under this section may be made subject to any qualifications and exceptions as the Governor in Council may seem proper and the provisions of sections 43 to 45 shall be read subject to any such qualifications and exceptions (if any).

Appointment of times and places for vaccination.

42. When an order has been made under section 41, the medical officer of health or health superintendent for the area shall appoint the times and places at which adults may attend and to which parents may bring children to be vaccinated.

43. Every adult in a prescribed area shall, within five days from the date of the order relating to such area, or if he shall not have been in the area at the date of such order, within five days from his arrival in the area, attend for examination, and, if necessary, for vaccination at a time and place appointed under section 42, and shall subsequently attend at such times and at such places as the public vaccinator may direct for the purpose of ascertaining whether or not the vaccination has been successful, and, if necessary, for revaccination.

Vaccination of adults.

44. The parent of any child in a prescribed area shall, within three months after the birth of such a child, or if such child is over the age of three months at the date of the order relating to such area or at the date when the child is brought within the area, within five days from the date of the order or of the child being brought within the area, as the case may be, bring such child to a public vaccinator at a time and place appointed under section 42 for examination and, if necessary, for vaccination and shall subsequently produce such child at such times and places as the public vaccinator shall direct for the purpose of ascertaining whether or not the vaccination has been successful, and, if necessary, for re-vaccination.

Vaccination of children.

45. Every public vaccinator may on any day, except Sunday, between the hours of six in the morning and six in the afternoon, enter any house and any yard or compound and any buildings therein in the Region or in a prescribed area and inspect every adult and child found therein, and may thereupon vaccinate any such adult and child unless he is satisfied that such adult or child has been previously vaccinated successfully or has already had smallpox :

Power of public vaccinators to enter premises and vaccinate.

Provided that in the event of an epidemic of smallpox the medical officer of health may order revaccination in which case a public vaccinator may revaccinate any adult or child who having been previously vaccinated shall fail to satisfy the public vaccinator that such vaccination was within a period of seven years.

46. A competent council may with the approval of the medical officer of health for the area appoint such additional persons as it deems necessary to be public vaccinators.

Appointment of additional public vaccinators by a local government council.

47. Any public vaccinator may examine and vaccinate any person arriving in the Region by land, sea or air who cannot produce satisfactory evidence of having been attacked by smallpox or of successful vaccination.

Power to examine strangers.

48. Any employer of labourers immigrant from other countries shall notify to a medical officer of health the arrival of such labourers employed by him within three days of their arrival, for the purpose of their inspection for vaccination.

Employees of foreign labour to notify arrival.

**Definition of "successful".** 49. In this Part "successful" means a vaccination which in the opinion of a public vaccinator, after taking into account the nature of the vesicles or scars resulting from the vaccination and the time which has elapsed since the vaccination was performed, is efficient to protect against smallpox.

**Penalties.** 50. Any person who shall fail to comply with the provisions of sections 39, 43, 44 and 48 of this Law or shall wilfully endeavour to deceive by false statement or otherwise, or shall obstruct any public vaccinator or other person in the discharge of his duties under this Part shall be liable to a fine of one hundred pounds or imprisonment for six months.

**Penalty for inoculating with smallpox.** 51. Any person who shall wilfully produce or attempt to produce smallpox in any person by inoculation with variolous matter, or by wilful exposure to variolous matter or to any matter, article or thing impregnated with variolous matter, shall be liable to imprisonment for three years.

**Power to make regulations.** 52. The Governor in Council may make regulations for all or any of the purposes following :—

(a) requiring all adults to attend before a public vaccinator for inspection and if necessary, for vaccination ;

(b) prohibiting arm to arm vaccination either generally or in any specified area ; and

(c) generally for giving effect to the purposes of this Part.

#### PART VI.—YELLOW FEVER

**Interpretation.** 53. In this Part—  
"inoculation" includes re-inoculation.  
"temporary visit" means a stay of seven days or less.

**Liability for inoculation.** 54. (1) The Governor in Council may by order direct that all persons or any specified class or classes of persons being or coming within such area as may be prescribed in the Order shall be liable to be inoculated against yellow fever.

(2) When any order is made under sub-section (1), the provisions of this Law shall thereupon apply in relations to all persons, or the class or classes of persons, specified in the Order.

**Inoculation of adults.** 55. Every adult to whom an order made under the provisions of section 54 applies shall within seven days of the coming into force of such order or within seven days of entering into a prescribed area, save on a temporary visit, present himself to a health officer for examination and, if necessary, inoculation against yellow fever and shall subsequently attend at such time and at such place as the health officer may direct for the purposes of such examination and inoculation.

56. The parent of a child to whom an order made under the provisions of section 54 applies shall, if such child is of the age of eighteen months or over at the date on which the order comes into force or on which such child enters into a prescribed area, save on a temporary visit, within seven days of the happening of either event bring such child to a health officer for examination and, if necessary, inoculation against yellow fever and shall subsequently bring such child to such place and at such time as the health officer may direct for the purpose of such examination and inoculation. Inoculation of children.
57. Without prejudice to the generality of section 55 or 56, the Minister may make rules to regulate the procedure whereby adults or children to whom an order under sub-section (1) of section 54 applies shall present themselves or be brought for examination and, if necessary, inoculation. Power to make rules.
58. Every health officer shall for the purposes of this Part keep such records as may be required by the Director of Medical Services. Health officers to keep records.
59. A health officer shall on request by any person inoculated under the provisions of this Law issue to such person a certificate of inoculation showing the date and place of inoculation. Certificate to be given.
60. No fee shall be payable in respect of any examination or inoculation made or performed under the provisions of this Law. Examination and inoculation to be free.
61. Any person who, without reasonable cause the burden of proving which shall be upon him, contravenes or fails to comply with the provisions of sections 55 and 56 of this Part or of any rule made under section 62 shall be liable, on conviction for a first offence to a fine of fifty pounds or to imprisonment for six months or to both such fine and imprisonment and on conviction for a second or subsequent offence to a fine of one hundred pounds or to imprisonment for one year or to both such fine and imprisonment. Penalties.
62. The Minister in relation to any order of the Governor in Council made under section 54 or section 63, may make rules generally for the carrying out of the provisions of this Part and in particular for— Power to make Rules
- (a) prescribing the forms to be used for any purpose under this Part ;
  - (b) the duties and powers of any person engaged or employed in the administration of this Part ;
  - (c) the duties to be performed and the procedure to be adopted by a town council, or local government council either generally or in respect of any prescribed area ;
  - (d) the keeping and examination of books and other records in connection with the administration of this Law ;
  - (e) exempting from the provisions of this Part any person or class or classes of persons ;

(f) prescribing the standard of any serum or virus to be used for the purposes of inoculation ;

(g) prescribing the period on the expiration of which re-inoculation may be required;

(h) specifying penalties for breaches of any rule made under the provision of this section and providing for different penalties in the case of successive breaches.

Provision for application of Law to any notifiable infectious disease.

63. If the Governor in Council shall by order so declare, the provisions of this Part shall apply *mutatis mutandis* in relation to any disease specified in the order, being a notifiable infectious disease as they apply in relation to yellow fever.

#### PART VII—SANITATION AND HOUSING

Bye-laws as regard sanitation.

64. Subject to the provisions of this Law, a competent council may make bye-laws for all or any of the following purposes—

(a) the maintenance of public latrines, urinals, dustbins and manure and night-soil depots in a sanitary condition ;

(b) surface scavenging, and the removal and disposal of night-soil and other refuse ;

(c) the cleansing of streets ;

(d) the provision and proper construction of rubbish receptacles on private premises ;

(e) the prevention of overcrowding in premises or rooms either in respect of human beings or animals, including the designation of an officer to fix the maximum number of human beings or animals which may occupy any particular premises or room ;

(f) for the destruction of rats, mice and other kinds of vermin, and of fleas, bugs, or any other such parasites as it may be deemed advisable to destroy and for rendering houses rat-proof ;

(g) the sanitary maintenance of workshops breweries and places of public instruction, recreation or assembly ;

(h) the regulation of laundries and wash-houses ;

(i) the admission into any urban area of animals ;

(j) the construction, position and proper sanitary maintenance of all places where animals are kept ;

(k) the methods to be adopted in cleansing and disinfecting places which have been occupied by any animal suffering from a contagious or infectious disease ;

(l) requiring the owner or occupier of any land or tenements to clear and keep free from vegetation the roads, streets, or paths adjoining their land or tenements ;

(m) prohibiting or regulating the making of borrow pits or excavations ;

(n) prohibiting or regulating the sinking of wells and providing for the closing of wells.

65. (1) Subject to the provisions of this Law, a competent council may make bye-laws for regulating all or any of the following matters— Bye-laws as to buildings.

(i) as regards buildings—

(a) the construction of buildings, and the materials to be used in the construction of buildings ;

(b) the space about buildings, the lighting and ventilation of buildings, and the dimensions of rooms intended for human habitation ;

(c) the height of buildings ; the height of chimneys, not being separate buildings, above the roof of the building of which they form part ;

(ii) as regards works and fittings—

(d) sanitary conveniences in connection with buildings ; the drainage of buildings, including the means for conveying refuse water and water from roofs and from yards appurtenant to buildings ; cesspools and other means for the reception or disposal of foul matter in connection with buildings ;

(e) ashpits in connection with buildings ;

(f) wells, tanks and cisterns for the supply of water for human consumption in connection with buildings ;

(g) stoves and other fittings in buildings (not being electric stoves or fittings), in so far as bye-laws with respect to such matters are required for the purposes of health and the prevention of fire ;

(h) private sewers ; communications between drains and sewers and between sewers.

(2) Bye-laws made under this section may include provisions as to—

(a) the giving of notices and the deposit of plans, sections, specifications (estimates) and written particulars ; and

(b) the inspection of work ; the testing of drains and sewers and the taking by the council of samples of materials to be used in the construction of buildings, or in the execution of other works.

66. The approving authority for bye-laws made under this Part shall be the Minister. Approving Authority.

67. (1) Whoever by any act or default causes or suffers to be brought or to flow into any well, stream, tank, reservoir, aqueduct or pond used or intended for supplying water to man or beast or into any conduit communicating therewith any deleterious substance or does any act whereby such water is or may be fouled shall be liable to a fine of ten pounds and a further sum of two pounds for every day during which the offence is continued after conviction. Fouling water

(2) Such penalties may be recovered during the continuance of the offence or within one calendar month after it has ceased.

## PART VIII.—GENERAL PROVISIONS

Penalty for obstructing execution of this Law.

68. Any person who wilfully hinders, prevents, or obstructs any health officer or other person in the execution of this Law shall be liable to a fine of fifty pounds or imprisonment for six months.

Obstruction of owner by occupier.

69. If the occupier of any premises prevents the owner thereof from obeying any order made under or carrying into effect any of the provisions of this Law, the court, on complaint, and on proof of such prevention, shall by order require such occupier to permit the execution of any works which appear to the court necessary for the purpose of obeying such order or carrying into effect such provisions, and if, within twenty-four hours after service on him of the order such occupier fails to comply therewith, he shall be liable to a fine of five pounds for every day during the continuance of such non-compliance.

Service of notices.

70. (1) A notice, order or document required or authorised by this Law to be served on the owner or occupier of any premises shall be deemed to be properly addressed if addressed by the description of the "owner" or "occupier" of such premises without further description, and shall be deemed to be properly served if it is delivered to some adult person on the premises, or, if there is no such person on the premises to whom the same can with reasonable diligence be delivered, by fixing the notice on some conspicuous part of the premises.

(2) A notice, order or document required or authorised by this Law to be served on any person (including an owner or occupier) may be served—

(a) by delivering the same to such person ;

(b) by delivering the same, at the usual or last known place of abode of such person, to some adult member or servant of his family.

Occupier to give information.

71. (1) The occupier of any premises shall, if required by any health officer or any police officer, give his name and the name and address of the owner of the premises if known.

(2) Any occupier declining to give or wilfully misstating the name or address either of himself or of the owner shall be liable to a fine of five pounds.

Powers of Health Officers.

72. A health officer whilst acting as such shall have all the powers and privileges which could be exercised, or would be possessed by a police officer for the purpose of enforcing the provisions of this Law including the power of such officer—

(a) of detaining or arresting any person who has, or is reasonably suspected of having, committed an offence against this Law ;

(b) to appear for the prosecution of such offences in a magistrate's court or a customary court.

73. Where any nuisance appears to be wholly or partially caused or contributed to by the acts or defaults of two or more persons (including an owner or occupier), any order may be served on one or several or all of such persons and proceedings may be instituted against one or several or all of such persons, whether in one proceeding or not, and one or several or all such persons may be ordered to abate such nuisance so far as the same appears to the court to be caused by his or their acts or defaults which the court finds as a matter of fact contribute to such nuisance, or may be fined or otherwise punished notwithstanding that the acts or defaults of any one of such persons would not separately have caused a nuisance, and the costs may be distributed as to the court may appear fair and reasonable.

Joinder of parties.

74. Where in any proceeding under this Law any person is summoned or otherwise dealt with as the occupier of premises if he alleges that he is not the occupier, the proof of such allegation shall be on him.

Burden of proof.

75. A health officer or other person shall not be liable to any action, liability or demand or account of anything done by him *bona fide* for the purpose of executing this Law.

Protection of health officer.

#### PART IX.—REPEALS AND TRANSITIONAL

76. All rules made under section 40 of the Public Health Ordinance and in force immediately before the commencement of this Law shall have effect as if made under section 33 of this Law and may be amended or revoked accordingly.

Transitional provisions with respect to rules under section 40 of Public Health Ordinance.

77. All regulations rules and bye-laws made under any enactment and in force immediately before the commencement of this Law with respect to any matter for which provision may be made under sections 36, 40, 52, 62, 64 and 65 of this Law shall have effect as if they were made under this Law and may be amended or revoked accordingly.

Transitional provisions with respect to rules and bye-laws for matters in sections 36, 40, 52, 62, 64 and 65.

78. The ordinances set out in the Second Schedule are hereby repealed.

Repeals.

### FIRST SCHEDULE

#### *The Public Health Law*

#### (Section 38)

#### NOTICE REQUIRING ATTENDANCE FOR VACCINATION

To.....,  
of.....

In accordance with the provision of section 38 (2) of the Public Health Law, you are hereby required within seven days after the service

FIRST SCHEDULE—*contd.*

of this notice on you to attend at.....

at.....a.m./p.m. to be examined and vaccinated.

DATED this.....day of.....19.....

.....  
*Medical Officer of Health*

SECOND SCHEDULE

(SECTION 78)

Leprosy Ordinance, Cap. 112, Vaccination Ordinance, Cap. 224, Public Health Ordinance, Cap. 183, Yellow Fever and Infectious Diseases (Immunisation) Ordinance, Cap. 236.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
*Acting Clerk of the Regional Legislature*

THE CUSTOMARY COURTS LAW, 1957

ARRANGEMENT OF SECTIONS

PART I.—PRELIMINARY

SECTION

1. Short title and commencement.
2. Interpretation.

PART II.—ESTABLISHMENT AND CONSTITUTION OF CUSTOMARY COURTS

3. Establishment of customary courts.
4. Composition of customary courts.
5. Appointment of members.
6. President and Vice-president.
7. Quorum and voting.
8. Oaths of members.
9. Sessions.
10. Indemnity of members of customary courts.
11. Delegation of powers of Local Government Service Board.

PART III.—OFFICERS OF CUSTOMARY COURTS

12. Officers of court.
13. Delegation of duties by officers.
14. Bailiffs and messengers.
15. Indemnity of officers of customary courts.
16. Approval of Board to dismissal of certain officers.

PART IV.—JURISDICTION OF CUSTOMARY COURTS AND LAW TO BE ADMINISTERED

17. Persons subject to the jurisdiction.
18. Grades of court.
19. Law to be administered.
20. Appropriate customary law.
21. Jurisdiction of customary courts in relation to offences against customary law.
22. Place of trial of causes.
23. Guardianship of children.
24. Governor in Council may confer jurisdiction to enforce laws of Region.
25. Reconciliation in civil cause or matter.
26. Reconciliation in criminal causes.

PART V.—PRACTICE AND PROCEDURE IN CUSTOMARY COURTS

27. Practice and procedure.
28. Representation of parties.
29. Proceedings to be in open court.

PART VI.—TRANSFERS

30. Transfer of case to lower grade customary court.
31. Effect of order of transfer.

PART VII.—ANCILLARY POWERS OF CUSTOMARY COURTS

32. Places of imprisonment.
33. Recovery of fines.
34. Scale of imprisonment in default of payment of fine.
35. Restoration of property unlawfully obtained.
36. Compensation to aggrieved persons.
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38. Person present may be required to give evidence.
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44. Inspection.

PART VIII.—APPEALS

45. Customary court of appeal.
46. Right of appeal to customary court of appeal.
47. Right of appeal to magistrate's court.
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49. Right of appeal to Federal Supreme Court.
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52. Powers of appellate courts in criminal matters.
53. Powers of appellate courts in civil matters.
54. Powers of courts of appeal to inspect records.
55. Substantial justice to be done.

PART IX.—OFFENCES

56. Adjudication without authority.
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62. Refusal to give evidence.
63. Giving false evidence.
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66. Falsification of the record of proceedings.
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68. Power to make rules.

PART XI.—FUNCTIONS OF COUNCILS IN RELATION TO CUSTOMARY COURTS

69. Competent councils.
70. Provision by competent council of buildings, remuneration, etc.
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- 72. Saving for existing courts.
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- 76. Saving for certain orders.
- 77. Amendment of enactments.
- 78. Repeals of Caps. 142 and 143.



Assented to in Her Majesty's name this 29th day of June, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 26



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

SIR JOHN DALZELL RANKINE, K.C.M.G., K.C.V.O.  
*Governor, Western Region*

A LAW TO PROVIDE FOR THE CONSTITUTION OF CUSTOMARY COURTS AND TO MAKE FURTHER PROVISION FOR THE ADMINISTRATION OF JUSTICE. Title.

[By Notice] Date of commencement.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

PART I.—PRELIMINARY

1. This Law may be cited as the Customary Courts Law, 1957, and shall come into operation on such date as the Governor may by notice in the Gazette appoint. Short title and commencement.

2. In this Law unless the context otherwise requires— Interpretation.  
“cause” includes any action, suit or other original proceeding between a plaintiff and a defendant and also any criminal proceeding ;

"competent council" in relation to a customary court means the council directed, in accordance with section 69, to be responsible for that court ;

"customary court" means a court established under or in pursuance of this Law or deemed to have been so established ;

"customary law" includes any declaration of local customary law made and approved under the provisions of section 77 of the Local Government Law, 1957, or the provisions of Part II of the Chiefs Law, 1957 ;

"High Court" means the High Court of the Western Region of Nigeria ;

"land cause" and "land matter" means a cause or matter relating to the ownership, occupation or possession of land or relating to any right or interest in or over land ;

"legal practitioner" means a person admitted and enrolled to practise as a barrister or solicitor in the Federal Supreme Court ;

"magistrate's court" means a magistrate's court established under or in pursuance of the Magistrate's Courts (Western Region) Law, 1954, or deemed to have been so established ;

"matter" includes any proceeding in a court not in a cause ;

"member" in relation to a customary court includes the president or vice-president but does not include an assessor ;

"the Minister" means the Regional Minister to whom responsibility for the administration of justice is assigned in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954 ;

"Nigerian" means a person whose parents were members of any tribe or tribes indigenous to Nigeria and the descendants of such persons, and includes any person one of whose parents was a member of such a tribe.

#### PART II.—ESTABLISHMENT AND CONSTITUTION OF CUSTOMARY COURTS

3. (1) Subject to confirmation by the Governor the Minister may by warrant under his hand establish such customary courts as he shall think fit.

(2) Such courts shall exercise the jurisdiction conferred upon them by or under this Law within such territorial limits as may be defined in the warrant.

(3) The Minister shall assign to each customary court established in pursuance of this section such name as he may think fit.

(4) All warrants shall be operative and of effect from the date thereof unless and until disallowed by the Governor.

(5) Subject to the confirmation of the Governor, the Minister may at any time suspend, cancel or vary any warrant issued in pursuance of this section.

Law No. 5  
of 1955.

Establish-  
ment of  
customary  
courts.

(6) The Minister shall cause particulars of—

- (a) the name and grade of every customary court ;
  - (b) the suspension, cancellation or variation of a warrant ;
- to be notified in the Gazette from time to time.

4. (1) A customary court shall consist of members, appointed in accordance with the provisions of section 5, sitting with or without assessors. Composition of customary courts.

(2) The Minister may in the warrant relating to a customary court—

- (a) determine, or make provision for determining the number of members of the court ;
- (b) make provision for the selection and appointment of assessors to sit with the court.

5. (1) Where a customary court is established in accordance with section 3, the Local Government Service Board shall, subject to sections 4 and 6, appoint the persons who are to be, *ex-officio* or otherwise, the members of the court. Appointment of members.

(2) The power to select such persons may be exercised from time to time as the Local Government Service Board shall consider necessary.

(3) The Local Government Service Board may dismiss or suspend any member of a customary court—

- (a) who appears to the Board to have abused his power or to be unworthy or incapable of exercising the same justly ; or
- (b) for other sufficient reason.

6. (1) Subject to the provisions of this section, the Local Government Service Board may from time to time appoint a president and a vice-president of a customary court. President and vice-president.

(2) In the case of the president or vice-president of a customary court Grade A, Grade B or of any customary court that is a court of appeal, a person shall not be qualified to be appointed president or vice-president of the court unless he is literate in the English language.

(3) In the case of a customary court consisting of more than one member—

(a) where no person is for the time being appointed by the Local Government Service Board in pursuance of sub-section (1) of this section, the members of the court shall select one of themselves to preside either for a fixed period or for a particular session ;

(b) where the person or persons for the time being appointed in pursuance of sub-section (1) of this section are absent at the commencement of the hearing of a cause or matter, the members of the court shall select one of themselves to preside for the hearing of that cause or matter.

(4) The Local Government Service Board shall have the like power to dismiss or suspend a president or vice-president as they have to dismiss or suspend any other member of a customary court.

Quorum and voting.

7. (1) For the purpose of hearing any case in a customary court it shall be sufficient if there are present at the hearing such number of members of the court as are specified as a quorum in the court warrant or, in default thereof, are prescribed by rules made under paragraph (c) of sub-section (1) of section 68.

(2) (a) In all causes before a customary court the opinion of the majority of the members hearing the cause shall, in the event of the members disagreeing be deemed and taken to be the decision of the court.

(b) In the event of an equality of votes, the president or vice-president or other member presiding shall, in addition to his original vote, have a casting vote.

(3) Where a customary court sits with assessors the assessors shall act in an advisory capacity and shall have no vote in the decision of the court.

Oaths of members.

8. (1) No person who has been appointed the president, vice-president or other member of a customary court shall sit or in any way act in that capacity until he shall have taken and subscribed the oath in the form contained in the First Schedule.

(2) The oath shall be administered by such person as the Minister may direct, at a sitting of the court

Sessions.

9. (1) A customary court shall hold sessions at such times and places as may be necessary for the convenient and speedy dispatch of the business of the court.

(2) The Minister may direct—

(a) that sessions shall be held at such times and places as he shall think fit ;

(b) that, where the court consists of more than one person, for the more convenient dispatch of business, the court shall sit in two or more divisions.

Indemnity of members of customary courts.

10. No person shall be liable to be sued in any court for any act done or ordered to be done by him in the exercise of jurisdiction conferred by this Law, whether or not within the limits of his jurisdiction, provided that he at the time of such act or order, in good faith believed himself to have jurisdiction to do or order to be done the act in question.

Delegation of powers of Local Government Service Board.

11. The power of the Minister to make regulations under the Local Government Law, 1957, relating to the Local Government Service Board shall extend to making regulations with respect to the exercise by the Board of their functions under this Law and in particular for the delegation by the Board to any other person or authority of their powers under this Law.

PART III—OFFICERS OF CUSTOMARY COURTS

12. (1) Subject to the provisions of this section, the competent council may, with the approval of the Local Government Service Board, appoint a clerk for a customary court for which it is responsible and such clerk shall perform such duties in the execution of the powers and authorities of the court as may be assigned to him by rules of court or by any special order of the court and in particular he shall—

Officers of court.

- (a) prepare for issue all warrants and writs ;
- (b) in the case of a Grade C or Grade D court, record all proceedings of the court ;
- (c) register all orders and judgments of the court ; and
- (d) enter an account of all moneys received or paid by the court.

(2) The power conferred on the Minister under the Local Government Law, 1957, to declare superior posts in the service of a council to be posts in the unified local government service shall extend to the post of a clerk of a customary court and where any such post has been so declared appointments to that post shall be made by the Local Government Service Board instead of the competent council.

(3) The competent council shall appoint to every court for which it is responsible such interpreter as may be required.

13. A clerk may, with the consent of the customary court, delegate any of the duties assigned to him to any other officer or servant of the court, and in every such case such officer or servant shall be governed in respect to his duties by the orders and directions of the clerk.

Delegation of duties by officers.

14. (1) The competent council shall appoint fit and proper persons to be bailiffs and messengers of a customary court to such number as the business of the court shall require.

Bailiffs and messengers.

(2) It shall be the duty of any person appointed under the provisions of sub-section (1) of this section—

- (a) to effect the service and execution of all writs and other process which he may receive from the customary court to which he is attached ;
- (b) to make all necessary returns in relation to such writs and process ;
- (c) to carry out such other duties as may be prescribed by rules made under this Law ; and
- (d) at all times when he is not engaged on duties which necessitate his absence from the customary court to attend the customary court and obey all the lawful directions of the court.

(3) A customary court may authorise a member of a local government police force to perform all or any of the duties mentioned in sub-section (2) of this section in so far as they relate to the criminal jurisdiction of the court and any member of such a force who shall be in possession of any criminal process shall be presumed to be authorised to execute such process unless the contrary be proved.

(4) Subject to the provisions of sub-section (3) of this section, no person other than a duly appointed bailiff or messenger shall carry out or purport or attempt to carry out any of the duties mentioned in sub-section (2) of this section.

Indemnity of officers of customary courts.

15. No officer of any customary court or other person bound to execute lawful warrants or orders issued or made in the exercise of jurisdiction conferred by this Law shall be liable to be sued in any court for the execution of any warrant or order which he would be bound to execute, if the person issuing the same had been acting in the exercise of lawful authority.

Approval of Board to dismissal of certain officers.

16. The power of the competent council to dismiss any person appointed under section 12 shall not be exercised without the approval of the Local Government Service Board.

PART IV.—JURISDICTION OF CUSTOMARY COURTS AND LAW TO BE ADMINISTERED

Persons subject to the jurisdiction.

17. A customary court shall have jurisdiction over all Nigerians.

Grades of court.

18. (1) There shall be four grades of customary courts, namely—Grade A, Grade B, Grade C and Grade D.

(2) The jurisdiction and power of each Grade of customary court shall be that set out in the Second Schedule.

(3) Every customary court shall be of such grade as may be specified in the warrant relating to the court.

(4) The Minister may by order—

(a) vary the grades of customary court specified in sub-section (1) of this section and their respective jurisdictions and powers specified in the Second Schedule ; and

(b) confer on all or any courts of any particular grade, type or kind such additional jurisdiction or powers as he thinks fit.

Law to be administered.

19. Subject to the provisions of this Law, a customary court shall administer—

(a) the appropriate customary law specified in section 20 in so far as it is not repugnant to natural justice, equity and good conscience nor incompatible either directly or by necessary implication with any written law for the time being in force ;

(b) the provisions of any written law which the court may be authorised to enforce by an order made under section 24 ;

(c) the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment ; and

(d) the provisions of all rules and bye-laws made by a local government council, or having effect as if so made, under the provisions of any enactment and in force in the area of jurisdiction of the court.

20. (1) In land matters the appropriate customary law shall be the customary law of the place where the land is situated. Appropriate customary law.

(2) In causes and matters arising from inheritance the appropriate customary law shall, subject to sub-sections (1) and (4) of this section, be the customary law applying to the deceased.

(3) Subject to the provisions of sub-sections (1) and (2) of this section—

(a) in civil causes or matters where—

(i) both parties are not natives of the area of jurisdiction of the court ; or

(ii) the transaction the subject of the cause or matter was not entered into in the area of the jurisdiction of the court ; or

(iii) one of the parties is not a native of the area of jurisdiction of the court and the parties agreed or may be presumed to have agreed that their obligations should be regulated, wholly or partly, by the customary law applying to that party,

the appropriate customary law shall be the customary law binding between the parties.

(b) in all other civil causes and matters the appropriate customary law shall be the law of the area of jurisdiction of the court.

(4) Where the customary law applying to land prohibits, restricts or regulates the devolution on death to any particular class of persons of the right to occupy such land it shall not operate to deprive any person of any beneficial interest in such land (other than the right to occupy the same) or in the proceeds of sale thereof to which he may be entitled under the rules of inheritance of any other customary law.

(5) In criminal causes and matters the appropriate customary law shall be the law of the area of jurisdiction of the court.

(6) In this section "native", in relation to the area of jurisdiction of a court, means a person who is a member of a community indigenous to that area.

21. Subject to the provisions of this Law but notwithstanding anything contained in the Criminal Code Ordinance, where any person is charged with an offence against customary law, a customary court may try the case in accordance with customary law even though the act or omission constituting the offence may also constitute an offence under the provisions of the Criminal Code or of any other enactment : Jurisdiction of customary courts in relation to offences against customary law.  
Cap. 42.

Provided that where an act or omission constituting an offence against customary law also constitutes an offence under the provisions of the Criminal Code or of any other enactment, a customary court shall not impose punishment in excess of the maximum punishment permitted by the Criminal Code or such other enactment for the same act or omission. Cap. 42.  
Cap. 42.

Place of trial of causes.

22. (1) Criminal causes shall be tried and determined by a customary court having jurisdiction over the area in which the offence was committed.

(2) Civil causes other than land causes shall be tried and determined by a customary court having jurisdiction over the area in which the defendant was at the time the cause of action arose.

(3) Land causes shall be tried and determined—

(a) by a customary court having jurisdiction over the area in which the land which is the subject-matter of the dispute is situated ; or

(b) by a customary court upon which the Minister may, by order made under paragraph (b) of sub-section (4) of section 18, confer jurisdiction.

Guardianship of children.

23. (1) In any matter relating to the guardianship of children, the interest and welfare of the child shall be the first and paramount consideration.

(2) Whenever it shall appear to a customary court that an order made by such court, should, in the interest of a child, be reviewed, the court may, of its own motion or upon the application of any interested person, vary or discharge such order.

Governor in Council may confer jurisdiction to enforce laws of the Region.

24. (1) The Governor in Council may by order confer upon all or any customary courts jurisdiction to enforce within the local limits of the jurisdiction of such courts all or any of the provisions of any law of the Region specified in such order and to impose penalties on persons subject to the jurisdiction of the court who offend against such provisions subject to such restrictions and limitations, if any, as may be specified in the order.

(2) In this section "law of the Region" means a law enacted, or having effect as if it had been enacted, by the Legislature of the Region.

Reconciliation in civil cause or matter.

25. In civil causes or matters a customary court may promote reconciliation among the parties thereto and encourage and facilitate the amicable settlement thereof.

Reconciliation in criminal causes.

26. In criminal causes a customary court may promote reconciliation and encourage and facilitate the settlement in an amicable way, of proceedings for common assault or for any other offence not amounting to a felony and not aggravated in degree, on any terms of payment or compensation or other terms approved by the court, and may thereupon order the proceedings to be stayed.

#### PART V.—PRACTICE AND PROCEDURE IN CUSTOMARY COURTS

Practice and procedure.

27. The practice and procedure of a customary court shall be regulated by rules of court made under section 68.

Representation of parties.

28. (1) In any cause or matter before a Grade A customary court—

(a) any party may be represented at any stage of the proceedings by a legal practitioner ;

(b) in the case of a prosecution by or on behalf of the Crown or a public officer in his official capacity, the Crown or that officer may be represented at any state of the proceedings by a legal practitioner or a police officer.

(2) Subject to the foregoing provisions of this section, no legal practitioner may appear to act for or assist any party before a customary court.

(3) In the case of a prosecution by or on behalf of a council or a suit brought by or against a council, the council may be represented before any grade of customary court at any stage of the proceedings by an employee of the council who satisfies the court that he has the authority of the council to do so.

(4) A customary court may permit—

(a) the husband, wife, guardian, servant, master or inmate of the household of any party, who shall give satisfactory proof that he or she has authority in that behalf ; or

(b) a relative of a person administering an estate subject to the jurisdiction of the court,  
to appear for any party before a customary court.

29. (1) The room or place in which a customary court shall sit to hear and determine any cause or matter shall be an open and public court to which the members of the public shall have a right of access while they shall be of good behaviour and to the extent to which the capacity of the court shall allow.

Proceedings  
to be in  
open court.

(2) Provision may be made by rules of court under section 68 for the exclusion of the public from any customary court in cases—

(a) in which persons under the age of seventeen years are involved ;  
or

(b) where the administration of justice would be rendered impracticable by the presence of the public.

#### PART VI.—TRANSFERS

30. A customary court may either of its own motion or upon the application of either party to a cause transfer to a lower grade customary court within the territorial jurisdiction of the transferring customary court any cause before it which in its opinion can for purposes of convenience or otherwise be more appropriately or expeditiously dealt with by such lower grade customary court and upon such order being made the lower grade customary court specified therein shall hear and determine the cause.

Transfer of  
case to lower  
grade  
customary  
court.

31. Every order of transfer shall operate as a stay of proceedings before the customary court from which the proceedings are ordered to be transferred in any cause or matter to which the order extends or is applicable, and the process and proceedings in every such cause or matter, and a certified copy of the record shall be transmitted to the

Effect of  
order of  
transfer.

court to which the same shall be transferred and thenceforth all proceedings in the cause or matter shall be taken in such court as if the cause or matter had been commenced therein.

PART VII.—ANCILLARY POWERS OF CUSTOMARY COURTS

Places of imprisonment.

32. Every person sentenced by a customary court to imprisonment or taken in execution of the process of such court shall be detained in a prison established under any Ordinance or Law.

Recovery of fines.

33. (1) A customary court may order that any fine which it may impose shall be paid at such time or times and by such instalments as it may think just.

(2) In default of the payment of any fine or of any instalment of the same when due, the court may—

(a) order that the amount of the fine or of the instalment, as the case may be, shall be levied by the sale of any property which belongs to the person fined and which is situate within the area of the jurisdiction of the court ; or

(b) order such person to be imprisoned.

(3) A sentence of imprisonment passed upon a person in default of payment of a fine or the total of any sentences passed in default of the payment of instalments of a fine as the case may be, shall not exceed in the aggregate the maximum sentence of imprisonment which the court is empowered to inflict.

(4) Where a term of imprisonment is imposed together with a fine such term together with either the sentence of imprisonment passed in default of the payment of the fine or the total of the sentences passed in default of the payment of instalments thereof, as the case may be, shall not exceed in the aggregate the maximum sentence of imprisonment which the court is empowered to inflict.

Scale of imprisonment in default of payment of fine. Third Schedule.

34. (1) In every case in which imprisonment is ordered in default of payment of the fine inflicted such imprisonment shall be for such period as in the opinion of the court will satisfy the justice of the case but shall not exceed the maximum which may be awarded by the court in accordance with the Third Schedule.

(2) Where any person has been committed to prison by a customary court for non-payment of a fine and such person thereafter pays the whole or a part of the fine, his imprisonment shall be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days for which such person was committed as the sum paid bears to the amount of the fine for which such person is liable.

Restoration of property unlawfully obtained.

35. (1) Where any person is convicted by a customary court of having stolen or having received stolen property, the customary court convicting him may order that such property or a part thereof be restored to the person who appears to it to be the owner, either on

payment by the owner of such sum as may be specified in the order to the person in whose possession the property restored then is or without such payment.

(2) This section shall not apply to—

(a) any valuable security which has been *bona fide* paid or discharged by any person liable to pay or discharge the same ; or

(b) any negotiable instrument which shall have been *bona fide* received by transfer or delivery by any person for a just and valuable consideration without notice or without any reasonable cause to suspect that it had been stolen.

36. In addition to awarding a fine or sentence of imprisonment in any case a customary court shall have power to award to any person injured or aggrieved by the act or omission in respect of which such fine or imprisonment has been imposed compensation to be paid by the accused on condition that such person if he shall accept the same shall not have or maintain any suit for the recovery of damages for the loss or injury sustained by him by reason of such act or omission.

Compensation to aggrieved persons.

37. Subject to the provisions of any rules made under section 68, every customary court shall have power to summon before it for the purpose of giving evidence any person within the area of the jurisdiction of the court and, any person outside such area but within the Region.

Power to summon witnesses.

38. Any person present at a customary court, whether a party or not to any cause or matter before the court may be required by the court to give evidence in the same manner as if he had been summoned to attend and give evidence.

Person present may be required to give evidence.

39. Subject to the provisions of any rules made under section 68 any judgment or order given or made by a customary court in a civil cause or matter may be enforced by seizure and sale of the property of the person condemned therein, or by such other methods of enforcing judgments and orders as may be prescribed by such rules.

Execution of judgments.

40. Customary courts shall carry into execution any decrees or orders of—

Execution of orders of other courts.

(a) the Federal Supreme Court ;

(b) the High Court ;

(c) any magistrate's court ;

(d) any customary court established under or in pursuance of this Law or deemed to have been so established ; and

(e) any customary court of any other part of the Federation of Nigeria,

which may be lawfully directed to them, and shall execute all warrants and serve all process issued by any such courts as aforesaid and directed to such customary courts for execution or service, and shall generally give such assistance to any of the aforesaid courts as may be required.

Power to grant interim injunction or impound property.

41. In any cause before a customary court in which, pending final determination thereof, it shall be shown to the satisfaction of the customary court that any property which is in dispute in the cause is in danger of being wasted, damaged, alienated or otherwise injuriously dealt with by any party to the cause the customary court may issue an injunction to such party commanding him to refrain from doing the particular act complained of, or, alternatively, may take and keep such property in custody pending the determination of such cause.

Power to appoint receiver and manager.

42. (1) A customary court may, whenever it shall think it necessary so to do for the preservation, proper custody, or management of any property in dispute in a cause, appoint any person as a receiver or manager to receive and to take charge of the property and to deal with it in such manner as shall be directed by such customary court.

(2) Any person or persons appointed as receiver and manager under sub-section (1) of this section shall be responsible to the customary court for all things done as receiver or manager, and shall account for or pay to the customary court all moneys received in respect of any property referred to in sub-section (1) of this section.

(3) A customary court may make such order as it shall think fit in regard to the remuneration of any person appointed as receiver and manager and shall pay to the party entitled thereto all moneys in the custody of the customary court due in respect of any property referred to in sub-section (1) of this section.

Search warrant and effect thereof.

43. (1) The president of a customary court may by warrant in writing authorise—

(a) any premises to be searched for property alleged to be stolen or wrongfully obtained ; and

(b) the seizure of any such property.

(2) The information upon which an application for a search warrant is based shall be given in writing and upon oath.

(3) Any property seized as a result of any search shall be taken before the customary court to be dealt with according to law.

(4) Any person residing in or being in charge of premises required to be searched shall allow the person holding the warrant free ingress thereto and shall afford all reasonable facilities for a search therein, and where ingress cannot be so obtained it shall be lawful for the person holding the warrant to enter into such premises and in order to effect such entrance to break open any outer or inner door or window of such premises.

Inspection.

44. In any cause or matter it shall be lawful for a customary court, on the application of either party or on its own motion—

(a) to make such order as the court may think fit for the inspection by the customary court, the parties, or any witness of any immovable or movable property the inspection of which may be material to the proper determination of the question in dispute ; and

(b) to give such direction as the court may think fit respecting such inspection.

PART VIII.—APPEALS

45. The Minister may by warrant under his hand appoint a customary court to be a court of appeal for all or any of the customary courts within the area of its jurisdiction.

Customary court of appeal.

46. Where a customary court of appeal is constituted for any area in accordance with section 45 any party aggrieved by the decision or order of a Grade "B", Grade "C" or Grade "D" court having jurisdiction in that area may, within thirty days of the date of the order or decision, appeal to that customary court of appeal.

Right of appeal to customary court of appeal.

47. Where no customary court of appeal is established for an area in accordance with section 45 any party aggrieved by a decision or order of a Grade "B", Grade "C" or Grade "D" customary court, having jurisdiction in that area may, within thirty days of the date of the order or decision, appeal to a magistrate's court.

Right of appeal to magistrate's court.

48. (1) Subject to the provisions of sub-section (2) of this section, any party aggrieved by a decision or order of—

Right of appeal to High Court.

(a) a Grade "A" customary court ;

(b) a customary court of appeal in which the subject-matter of the cause or matter is of the value of fifty pounds or upwards or in which a fine exceeding twenty-five pounds or a term of imprisonment exceeding three months has been ordered ; or

(c) a magistrate's court made or given on appeal from a customary court, may, within thirty days of the date of the decision or order, appeal to the High Court.

(2) In the case of a decision or order of a magistrate on appeal from a customary court no appeal shall lie from a decision or order of the magistrate's court in a civil cause or matter, in which the value of the subject-matter does not exceed ten pounds, without the leave of the High Court.

49. (1) An appeal shall lie to the Federal Supreme Court from the order or decision of the High Court given in the exercise of the appellate jurisdiction conferred by section 48 subject to the conditions and in accordance with the provisions of the Federal Supreme Court (Appeals) Ordinance relating to appeals from Native Courts.

Right of appeal to Federal Supreme Court.

Cap. 229.

(2) Nothing in this section shall extend to an appeal in a cause or matter which relates to a matter within the legislative competence of the Federal Legislature or for which provision is made by section 148 of the Nigeria (Constitution) Order in Council, 1954.

Conditions  
and appeals  
out of time.

50. (1) The right of appeal to any court conferred by sections 46, 47 and 48 shall be subject to any law and any rules of court for the time being in force regulating the practice and procedure of that court with respect to appeals.

(2) In the case of an appeal to a court under section 46, 47 or 48, leave to appeal out of time may, upon reasonable cause being shown, be granted by that court upon such terms as it shall consider just.

Assessors.

51. (1) A customary court of appeal or the High Court or a magistrate's court may, in the exercise of appellate jurisdiction under this Law in any cause or matter in which issues are raised on the appeal involving questions of customary law, require the aid of such persons as assessors as such court shall think fit.

(2) The assessors shall be selected from a panel of persons approved by the Local Government Service Board.

Powers of  
appellate  
courts in  
criminal  
matters.

52. (1) Any court (other than the Federal Supreme Court) exercising appellate jurisdiction in criminal matters under the provisions of this Law may in the exercise of that jurisdiction—

(a) if such court considers that there is no sufficient ground for interfering with the decision appealed against, confirm that decision and dismiss the appeal ;

(b) if such court considers that there is sufficient ground for interfering with the decision appealed against, set aside that decision, and either—

(i) acquit the appellant ; or

(ii) order the retrial of the appellant before a court of competent jurisdiction on the same charge or accusation or on any charge or accusation which might have been laid on the facts as disclosed by the evidence ; or

(iii) after hearing the whole case or not and whether in whole or in part substitute any other decision (whether as to guilt or punishment) which the court of first instance could have made, but so that by the decision so substituted, the appellant shall not be found guilty of any offence of which he was not accused before the court of first instance, unless the appellate court is satisfied that the defence of the appellant before the court of first instance would not have been substantially affected if he had been so accused ; or

(iv) substitute a special finding to the effect that the appellant was guilty of the act or omission charged, but was insane so as not to be responsible by virtue of the provisions of section 28 of the

Criminal Code for his conduct at the time when he did the act or made the omission, and thereupon the appropriate provisions of Part XXV of the Criminal Procedure Ordinance shall apply.

Cap. 42.

Cap. 43.

(2) At any stage of the proceedings on an appeal, the appellate court may order evidence to be adduced.

53. Any court (other than the Federal Supreme Court) exercising appellate jurisdiction in civil matters under the provisions of this Law may in the exercise of that jurisdiction—

Powers of appellate courts in civil matters.

(a) after rehearing the whole case or not, reverse, vary or confirm the decision of the court from which the appeal is brought and may make any such order as the court of first instance could have made in such cause or matter or as the appeal court shall consider that the justice of the case requires ;

(b) quash any proceedings and thereupon, where it is considered desirable, order any such cause or matter to be reheard *de novo* before the court of first instance or before any other customary court or before any magistrate's court.

54. Where an appeal lies from an order or decision of a customary court the court to which the appeal is brought shall have power to inspect the records or books of such customary court relative to the appeal.

Power of courts of appeal to inspect records.

55. No proceedings in a customary court and no summons warrant, process, order or decree issued or made thereby shall be varied or declared void upon appeal solely by reason of any defect in procedure or want of form but every court exercising powers of appeal under this Law shall decide all matters according to substantial justice without undue regard to technicalities.

Substantial justice to be done.

#### PART IX.—OFFENCES

56. (1) Any person who shall—

Adjudication without authority.

(a) exercise or attempt to exercise judicial powers within the area of the jurisdiction of a duly constituted customary court, except in accordance with the provisions of any Ordinance or Law, or

(b) sit as a member of such court without due authority, shall be liable on conviction before the High Court, a magistrate's court or a customary court of Grade A or B to imprisonment for twelve months or to a fine of one hundred pounds or to both such imprisonment and fine.

(2) Any person, other than a member of a customary court, adjudicating as an arbitrator upon any civil matter in dispute where the parties thereto have agreed to submit the dispute to his decision shall not be regarded as exercising judicial powers for the purposes of paragraph (a) of sub-section (1) of this section.

(3) No prosecution under this section shall be instituted without the consent in writing of the Attorney-General.

Interference with persons carrying out duties under section 14.

57. Any person who—

(a) assaults, obstructs, molests or resists ; or

(b) aids or incites any other person to assault, obstruct, molest or resist

any person acting or proceeding to act in the execution of his duties under the provisions of section 14 shall be guilty of an offence and shall be liable on conviction to a fine of fifty pounds or to imprisonment for one year or to both such fine and imprisonment.

Exaction of fees or fines in excess of those authorised.

58. (1) No fees or fines in excess of those authorised by or under this or any other written law shall be demanded or exacted from any person in respect of any cause or matter in a customary court.

(2) Any member, officer or servant of a customary court who contravenes the provisions of sub-section (1) of this section shall be guilty of an offence and shall be liable on conviction to a fine of fifty pounds or to imprisonment for six months or to both such fine and imprisonment.

(3) The court may order any amount exacted in excess to be refunded to the person entitled thereto.

(4) If default shall be made by any person against whom an order to refund has been made under sub-section (3) of this section the amount ordered to be refunded may be levied by distress and, in default of sufficient distress, the person defaulting may be committed to prison for any term not exceeding six months in addition to any sentence imposed under the provisions of sub-section (2) of this section.

Corruption by member, officer or servant of customary court.

59. (1) Any member or officer or servant of any customary court who accepts, claims or obtains, or agrees or attempts to accept, claim or obtain for himself or for any other person, any gratification, advantage, bribe or reward whatsoever, whether in money or otherwise, for—

(a) doing or forbearing to do any act which he is authorised or required to do in the exercise of his jurisdiction, authority or function as a member, officer or servant of a customary court, as the case may be, or

(b) corruptly showing favour or disfavour to any person, shall be guilty of an offence.

(2) Whosoever—

(a) gives or offers ;

(b) accepts or obtains ; or

(c) agrees to give or offer or accept or obtain, for himself or for any other person, any gratification, advantage, bribe or reward whatsoever, whether in money or otherwise, for inducing by any corrupt or illegal means or by corrupt personal influence any member or any officer or any servant of any customary court—

(i) to do or to forbear to do any act which the said member, officer or servant, as the case may be, is authorised to do in exercise of his jurisdiction, authority or function ; or

(ii) to show favour or disfavour to any person, shall be guilty of an offence.

(3) Any person convicted of an offence under this section shall be liable to a fine of two hundred pounds or to imprisonment for two years or to both such fine and imprisonment.

60. Any person who—

(a) omits to produce or deliver up a document on the lawful order of a customary court ; or

Refusal to produce documents, etc.

(b) refuses—

(i) to answer any question lawfully asked by a customary court ; or

(ii) to sign any statement lawfully required by a customary court ; or

(c) insults a customary court or any member thereof during a sitting of a customary court ; or

(d) intentionally interrupts the proceedings of a customary court at any stage, shall be guilty of an offence and shall be liable on conviction to a fine of twenty-five pounds or to imprisonment for three months.

61. Any person who without reasonable excuse shall fail to obey any valid summons issued under the provisions of section 37 may be arrested and brought before the customary court issuing such summons or before such other court as may have jurisdiction over such person, and shall be liable to a fine of five pounds or to imprisonment for fourteen days.

Failure to obey summons of customary courts.

62. Any person who without reasonable excuse refuses to give evidence on being required so to do by a customary court under the provisions of section 38 shall be liable to a fine of five pounds or in default of payment of such fine to imprisonment for fourteen days.

Refusal to give evidence.

63. Any person who in any proceedings before a customary court gives evidence, whether on oath or otherwise, which he knows to be false or believes to be false or does not believe to be true shall be liable on conviction before the High Court, a magistrate's court of competent jurisdiction or a customary court of Grade "A" or "B" to a fine of two hundred pounds or to imprisonment for a period of two years or to both such fine and imprisonment.

Giving false evidence.

64. Any person who, with intent to defeat, obstruct or pervert the course of justice in any cause or matter in a customary court—

Causing persons to delay in or refrain from giving evidence.

(a) causes any person to delay giving or to refrain from giving evidence before the court ; or

(b) prevents any persons from giving evidence before the court, shall be guilty of an offence and shall be liable on conviction to a fine of fifty pounds or to imprisonment for six months or to both such fine and imprisonment.

Rendering false returns.

65. Any clerk, or member of a customary court who shall knowingly render false returns of the cases tried or the penalties inflicted by such court shall be guilty of an offence and shall be liable on conviction before the High Court, a magistrate's court of competent jurisdiction or a customary court of Grade "A" to a fine of one hundred pounds or to imprisonment for one year, or to both such fine and imprisonment.

Falsification of the record of proceedings.

66. Any person being charged in accordance with this Law or rules made under section 68 with the duty of recording the proceedings of a customary court, who knowingly makes a false record of the proceedings of the court shall be guilty of an offence and shall be liable on conviction to a fine of one hundred pounds or to imprisonment for one year, or to both such fine and imprisonment.

Jurisdiction of courts under Part X.

67. Save as provided in sections 56, 63 and 65 any proceedings arising under the provisions of this Part may be brought in the High Court, a magistrate's court or a customary court of competent jurisdiction.

#### PART X—RULES OF COURT

Power to make rules.

68. (1) Subject to the provisions of this Law, the Minister may make rules providing for any or all of the following matters—

(a) regulating the practice and procedure of customary courts in their original jurisdiction and on appeal ;

(b) the recording of the proceedings of customary courts ;

(c) fixing the number of members of a customary court which shall constitute a quorum ;

(d) prescribing the powers of customary courts to issue process for the institution of causes and matters and to compel the attendance of accused persons before the court ;

(e) the exclusion of the public from a customary court in accordance with the provisions of sub-section (2) of section 29 ;

(f) regulating the issue of summons to witnesses of customary courts ;

(g) providing for—

(i) the carrying into execution of the decrees or orders of customary courts or any class of customary courts, whether such customary courts are established under this Law or under any other written law ; and

(ii) the execution of the warrants and the service of the process of such courts or class of courts, where such decrees or orders are made or such warrants or process are issued in respect of persons or property not within the area of the jurisdiction of the customary court making or issuing the same ;

(h) prescribing the courts or authority by which the decrees, orders, warrants or process mentioned in sub-paragraph (ii) of paragraph (g) shall be carried into execution, executed or served ;

(i) the recording and perpetuation of the decisions of customary courts in land cases by reference to plans and the fixing of landmarks ;  
 (j) prescribing the fees which may be charged by surveyors for any work done for the purposes of any rules made under paragraph (i);  
 (k) regulating any matters relating to the costs of proceedings in customary courts ;

(l) prescribing and providing for—

(i) the maximum fees which may be charged—

(a) in customary courts of first instance and of appeal ;

(b) for appeals from such customary courts and generally ;

(ii) the reduction of such maximum fees in respect of all or any customary courts or proceedings, the application of such maximum or reduced fees to such customary courts or proceedings and the manner in which and the persons by whom such reduction and application may be made ;

(iii) the remission in whole or in part of any maximum or reduced fee and the manner in which and the persons or customary courts by whom or by which such remission may be made ;

(m) the grant of bail to accused persons and to convicted persons pending an appeal and the regulation of the conditions of and the procedure for the granting of such bail ;

(n) defining the duties of any officers of customary courts ;

(o) the time within which any act, matter or thing shall be carried out or performed for the purposes of this Law ;

(p) prescribing the powers of customary courts to impose consecutive or concurrent sentences of imprisonment ;

(q) generally for the carrying into effect of the provisions of this Law.

(2) Any rules made under this section may apply to all customary courts or to any class of customary courts or to any particular customary court or to such customary courts or particular customary court as may be determined under the rules.

#### PART XI.—FUNCTIONS OF COUNCILS IN RELATION TO CUSTOMARY COURTS

69. The Minister may direct that a council shall be the competent council in respect of any customary court exercising jurisdiction within the area of authority of the council.

Competent councils.

70. The competent council shall—

(a) provide, maintain and equip such court buildings, offices and other buildings required for use in connection with a customary court as may be specified by the Minister ;

(b) pay to the members of a customary court such salary, sitting fees or other allowances as may be prescribed by the Minister ;

(c) pay to the officers and servants of a customary court salaries and allowances in accordance with the scales of salary and allowance prescribed by the Minister.

Provision by competent council of buildings, remuneration, etc.

Fees, etc., to be paid to revenue of competent council.

71. All fees, fines and penalties payable in respect of or as a result of proceedings in a customary court and the proceeds of sale or any forfeiture ordered by that court shall be paid to and form part of the revenue of the competent council.

PART XII.—TRANSITIONAL AND REPEALS

Saving for existing courts.

72. (1) All native courts (including native courts of appeal) established under or in pursuance of the Native Courts Ordinance or the Native Courts (Colony) Ordinance, or deemed to have been so established, by warrant in force immediately before the commencement of this Law, shall be deemed to be customary courts established under or in pursuance of this Law.

(2) The persons who immediately before the commencement of this Law were the duly appointed members of a court to which sub-section (1) of this section applies shall, with effect from the commencement of this Law, be deemed to be members of the court appointed in accordance with the provisions of this Law, and to have taken and subscribed the oath in accordance with section 8.

(3) The jurisdiction of a court to which sub-section (1) of this section applies shall be that set out in the Second Schedule according as the court is graded Grade "A", Grade "B", Grade "C" or Grade "D".

Pending cases and matters. Cap. 142. Cap. 143.

73. Subject to the provisions of this section, any cause or matter begun and pending immediately before the commencement of this Law in any native court constituted under the Native Courts Ordinance or the Native Courts (Colony) Ordinance, whether as of first instance or of appeal, may be continued and concluded in the appropriate customary court established or deemed to have been established under this Law and every judgment, order or sentence in any such cause or matter may be enforced in the same manner and the same appeal, if any, shall lie therefrom as if it were a judgment, order or sentence in a cause or matter originally instituted in the appropriate customary court established or deemed to have been established under this Law.

Pending appeals.

74. (1) Any appeal from a native court constituted under the Native Courts Ordinance or the Native Courts (Colony) Ordinance which may immediately before the commencement of this Law be pending before—

- (a) a native court of appeal ;
- (b) a magistrate's court ;
- (c) the High Court ; or
- (d) the Federal Supreme Court,

shall be continued and concluded by such court in like manner as if the appeal were from a customary court constituted under this Law and every judgment, order or sentence given, issued or passed in such appeal may be enforced in such manner as if it were a judgment, order or sentence in an appeal from a customary court constituted or deemed to be constituted under this Law.

(2) Any appeal from a native court constituted under the Native Courts Ordinance or the Native Courts (Colony) Ordinance which may immediately before the commencement of this Law be pending before a divisional adviser, a provincial adviser or the Governor shall—

(a) in the case of an appeal from a native court of appeal be transferred to the High Court ;

(b) in the case of an appeal from any other native court, be transferred to the court of such magistrate as may be determined by or under directions of the Minister,

and every judgment, order or sentence given, issued or passed in such appeal may be enforced in such manner as if it were a judgment, order or sentence in an appeal from a customary court constituted or deemed to be constituted under this Law.

75. Any cause or matter which immediately before the commencement of this Law is under review by a provincial adviser or divisional adviser shall be transferred to such court as may be determined by or under directions of the Minister. Proceedings under review.

76. Any order in council made under the provisions of section 12 of the Native Courts Ordinance or section 10 of the Native Courts (Colony) Ordinance and in force immediately before the commencement of this Law shall have effect as if it were made under section 24 of this Law and may be amended or revoked accordingly. Saving for certain orders.

77. The enactments set out in the first column of the Fourth Schedule are amended to the extent set out in the second column of that schedule. Amendment of enactments.

78. The Native Courts Ordinance and the Native Courts (Colony) Ordinance are hereby repealed. Repeals of Caps. 1+2 and 143.

Section 8. FIRST SCHEDULE

FORM OF OATH OF COURT MEMBER

I, .....being  
 appointed the \*President/a Member of the.....Court  
 do swear by Almighty God that I will well and truly serve as the \*President/a  
 Member of the.....Court  
 and will do right to all manner of people after the laws and usage of the  
 Western Region of Nigeria without fear or favour affection or ill-will and  
 that I will not accept in respect of my service as \*President/Member any  
 bribe, or any unlawful recompenses, reward or benefit whatsoever.

(\*Delete whichever is inapplicable).

Section 18.

## SECOND SCHEDULE

## PART I.—JURISDICTION OF GRADE "A" COURTS

Civil Jurisdiction : Unlimited jurisdiction in all civil causes and matters arising under the law to be administered by the court in accordance with section 19 ;

Criminal Jurisdiction : Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be—

(a) offences against the customary law of the area of jurisdiction of the court other than offences of the same nature as the following statutory offences—

(i) homicide ;

(ii) treason ;

(iii) sedition ;

(iv) trial by ordeal ;

(v) child-stealing ;

(vi) offences against the revenue of the government ;

(vii) corruption by officials of the government ;

(viii) offences against the enactments relating to official secrets ;

(ix) Slave dealing ;

(x) offences relating to the coin or currency notes, the posts and telegraphs or the railway, or incidental to any other matter within the exclusive legislative competence of the Federal legislature.

(b) offences against the provisions of any written law in respect of which jurisdiction is conferred on the court by an order made under section 24 ;

(c) offences against rules, orders or bye-laws made, or having effect as if made by a local government council under any enactment and in force in the area of the jurisdiction of the court ;

(d) offences against the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment.

## PART II.—JURISDICTION OF GRADE "B" COURTS

Civil Jurisdiction : (1) Unlimited jurisdiction in matrimonial causes and matters between persons married under customary law or arising from or connected with a union contracted under customary law (but

excluding any such cause or matter relating to arising from or connected with a Christian marriage as defined in section 1 of the Criminal Code) ;

(2) Unlimited jurisdiction in causes relating to the custody of children under customary law ;

(3) Unlimited jurisdiction in causes and matters relating to inheritance, upon intestacy and the administration of intestate estates under customary law ;

(4) Unlimited jurisdiction in land matters ;

(5) Jurisdiction in other causes and matters under the law to be administered by the court in accordance with section 19, where the debt, demand or damages do not exceed one hundred pounds.

Criminal Jurisdiction :

Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be, but not exceeding imprisonment for one year or a fine of one hundred pounds—

(a) offences against the customary law of the area of the jurisdiction of the court other than offences of the same nature as the following statutory offences—

- (i) homicide ;
- (ii) treason ;
- (iii) sedition ;
- (iv) trial by ordeal ;
- (v) slave dealing ;
- (vi) child stealing ;
- (vii) obtaining goods by false pretences ;
- (viii) offences against the revenue of the government ;
- (ix) corruption by officials of the government ;
- (x) corruption by judicial officers ;
- (xi) fraudulent false accounting ;
- (xii) defilement of girls ;
- (xiii) procuration ;
- (xiv) rape ;
- (xv) defamation ;
- (xvi) forgery ;
- (xvii) offences against the enactments relating to official secrets ;
- (xviii) conspiracy ;

Section 18.

## SECOND SCHEDULE

## PART I.—JURISDICTION OF GRADE "A" COURTS

Civil Jurisdiction : Unlimited jurisdiction in all civil causes and matters arising under the law to be administered by the court in accordance with section 19 ;

Criminal Jurisdiction : Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be—

(a) offences against the customary law of the area of jurisdiction of the court other than offences of the same nature as the following statutory offences—

(i) homicide ;

(ii) treason ;

(iii) sedition ;

(iv) trial by ordeal ;

(v) child-stealing ;

(vi) offences against the revenue of the government ;

(vii) corruption by officials of the government ;

(viii) offences against the enactments relating to official secrets ;

(ix) Slave dealing ;

(x) offences relating to the coin or currency notes, the posts and telegraphs or the railway, or incidental to any other matter within the exclusive legislative competence of the Federal legislature.

(b) offences against the provisions of any written law in respect of which jurisdiction is conferred on the court by an order made under section 24 ;

(c) offences against rules, orders or bye-laws made, or having effect as if made by a local government council under any enactment and in force in the area of the jurisdiction of the court ;

(d) offences against the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment.

## PART II.—JURISDICTION OF GRADE "B" COURTS

Civil Jurisdiction : (1) Unlimited jurisdiction in matrimonial causes and matters between persons married under customary law or arising from or connected with a union contracted under customary law (but

excluding any such cause or matter relating to arising from or connected with a Christian marriage as defined in section 1 of the Criminal Code) ;

(2) Unlimited jurisdiction in causes relating to the custody of children under customary law ;

(3) Unlimited jurisdiction in causes and matters relating to inheritance, upon intestacy and the administration of intestate estates under customary law ;

(4) Unlimited jurisdiction in land matters ;

(5) Jurisdiction in other causes and matters under the law to be administered by the court in accordance with section 19, where the debt, demand or damages do not exceed one hundred pounds.

Criminal Jurisdiction :

Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be, but not exceeding imprisonment for one year or a fine of one hundred pounds—

(a) offences against the customary law of the area of the jurisdiction of the court other than offences of the same nature as the following statutory offences—

- (i) homicide ;
- (ii) treason ;
- (iii) sedition ;
- (iv) trial by ordeal ;
- (v) slave dealing ;
- (vi) child stealing ;
- (vii) obtaining goods by false pretences ;
- (viii) offences against the revenue of the government ;
- (ix) corruption by officials of the government ;
- (x) corruption by judicial officers ;
- (xi) fraudulent false accounting ;
- (xii) defilement of girls ;
- (xiii) procuration ;
- (xiv) rape ;
- (xv) defamation ;
- (xvi) forgery ;
- (xvii) offences against the enactments relating to official secrets ;
- (xviii) conspiracy ;

(vix) offences relating to witchcraft and juju ;

(xx) offences relating to the coin and currency notes, the posts and telegraphs and the railway, and offences incidental to any other matter within the exclusive legislative competence of the Federal legislature.

(b) offences against the provisions of any written law in respect of which jurisdiction is conferred on the court by an order made under section 24 ;

(c) offences against rules, orders or bye-laws made, or having effect as if made by a local government council under any enactment and in force in the area of the jurisdiction of the court ;

(d) offences against the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment.

### PART III.—JURISDICTION OF GRADE “C” COURTS

#### Civil Jurisdiction :

(1) Unlimited jurisdiction in matrimonial causes and matters between persons married under customary law or arising from or connected with a union contracted under customary law (but excluding any such cause or matter relating to arising from or connected with a Christian marriage as defined in section 1 of the Criminal Code) ;

(2) Unlimited jurisdiction in suits relating to the custody of children under customary law ;

(3) Jurisdiction in causes and matters relating to inheritance upon intestacy and the administration of intestate estates under customary law where the value of the property does not exceed fifty pounds ;

(4) Jurisdiction in land matters in which the value of the subject matter does not exceed fifty pounds ;

(5) Jurisdiction in other causes and matters under the law to be administered by the court in accordance with section 19, where the debt, demand or damages does not exceed fifty pounds.

#### Criminal Jurisdiction :

Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be, but not exceeding imprisonment for six months or a fine of fifty pounds—

(a) offences against the customary law of the area of the jurisdiction of the court other than offences of the same nature as the following statutory offences—

- (i) homicide ;
- (ii) treason ;
- (iii) sedition ;
- (iv) trial by ordeal ;
- (v) slave dealing ;
- (vi) child stealing ;
- (vii) obtaining goods by false pretences ;
- (viii) offences against the revenue of the government ;
- (ix) corruption by officials of the government ;
- (x) corruption by judicial officers ;
- (xi) fraudulent false accounting ;
- (xii) defilement of girls ;
- (xiii) procuration ;
- (xiv) rape ;
- (xv) defamation ;
- (xvi) forgery ;
- (xvii) offences against the enactments relating to official secrets ;
- (xviii) conspiracy ;
- (xix) offences relating to witchcraft and juju ;
- (xx) offences relating to the coin and currency notes, the posts and telegraphs and the railway, and offences incidental to any other matter within the exclusive legislative competence of the Federal legislature.

(b) offences against the provisions of any written law in respect of which jurisdiction is conferred on the court by an order made under section 24 ;

(c) offences against rules, orders or bye-laws made, or having effect as if made by a local government council under any enactment and in force in the area of the jurisdiction of the court ;

(d) offences against the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment.

#### PART IV.—JURISDICTION OF GRADE "D" COURTS

Civil Jurisdiction :

- (1) Unlimited jurisdiction in matrimonial causes and matters between persons married under customary law or arising from or connected with a union contracted under customary law (but

excluding any such cause or matter relating to, arising from or connected with a Christian marriage as defined in section 1 of the Criminal Code) ;

(2) Unlimited jurisdiction in suits relating to the custody of children under customary law ;

(3) Jurisdiction in causes and matters relating to inheritance upon intestacy and the administration of intestate estates under customary law where the value of the property does not exceed twenty-five pounds ;

(4) Jurisdiction in land matters in which the value of the subject matter does not exceed twenty-five pounds ;

(5) Jurisdiction in other causes and matters under the law to be administered by the court in accordance with section 19, where the debt, demand or damages does not exceed twenty-five pounds.

Criminal Jurisdiction : Jurisdiction to try and determine causes for the following offences and, subject to the provisions of sections 21 and 24 and this Schedule, to impose the fine, imprisonment or other punishment authorised by customary law or the written law constituting the offence, as the case may be, but not exceeding imprisonment for three months or a fine of twenty-five pounds—

(a) offences against the customary law of the area of the jurisdiction of the court other than the offences of the same nature as the following statutory offences :—

(i) homicide ;

(ii) treason ;

(iii) sedition ;

(iv) trial by ordeal ;

(v) slave dealing ;

(vi) child stealing ;

(vii) obtaining goods by false pretences ;

(viii) offences against the revenue of the government ;

(ix) corruption by officials of the Government ;

(x) corruption by judicial officers ;

(xi) fraudulent false accounting ;

(xii) defilement of girls ;

(xiii) procurement ;

(xiv) rape ;

(xv) defamation ;

(xvi) forgery ;

(xvii) offences against the enactments relating to official secrets ;

(xviii) conspiracy ;

(xix) offences relating to witchcraft and juju ;

(xx) offences relating to the coin and currency notes, the posts and telegraphs and the railway, and offences incidental to any other matter within the exclusive legislative competence of the Federal legislature.

(b) offences against the provisions of any written law in respect of which jurisdiction is conferred on the court by an order made under section 24 ;

(c) offences against rules, orders or bye-laws made, or having effect as if made by a local government council under any enactment and in force in the area of the jurisdiction of the court ;

(d) offences against the provisions of any enactment in respect of which jurisdiction is conferred on the court by that enactment.

#### PART V.—INTERPRETATION

1. The powers conferred by this Schedule to impose any punishment authorised by customary law does not include—

(a) power to impose any punishment involving mutilation or torture or repugnant to natural justice and humanity ;

(b) power to impose corporal punishment.

2. References in this Schedule to statutory offences mean offences constituted by the Criminal Code or some other Ordinance or Law in force in the Region or by some Order in Council made by Her Majesty in force in the Region or by the express provisions of some statute of the Imperial Parliament in force in the Region.

Section 34.

#### THIRD SCHEDULE

##### SCALE OF IMPRISONMENT IN DEFAULT OF PAYMENT OF A FINE

Where the fine—	The period of imprisonment shall not exceed—
(a) does not exceed ten shillings ... ..	(a) seven days ;
(b) exceeds ten shillings but does not exceed one pound ... ..	(b) fourteen days ;
(c) exceeds one pound but does not exceed ten pounds ... ..	(c) one month ;
(d) exceeds ten pounds but does not exceed thirty pounds ... ..	(d) two months ;
(e) exceeds thirty pounds but does not exceed fifty pounds ... ..	(e) four months ;
(f) exceeds fifty pounds but does not exceed one hundred pounds ... ..	(f) six months ;
(g) exceeds one hundred pounds but does not exceed two hundred pounds ... ..	(g) one year ;
(h) exceeds two hundred pounds ... ..	(h) two years.

Section 77.		FOURTH SCHEDULE	
<i>Enactment</i>	<i>Section</i>	<i>Amendment</i>	
The Building Lines Regulation Ordinance.	10	(1) For "native court" substitute "customary court".	
		(2) For "the jurisdiction in its warrant" substitute "its jurisdiction".	
		(3) For "native" where it occurs in the third and seventh lines substitute "person".	
The Western Region High Court Law, 1954.	25	For "native courts" wherever they occur substitute "customary courts".	
	41	In sub-section (1) for "native court" substitute "customary court".	
The Magistrates' Courts (Western Region) Law.	18	(1) In sub-section (1) delete paragraphs (f) and (g).	
		(2) In the proviso to sub-section (1) delete "and except in suits transferred or ordered to be reheard under paragraphs (f) and (g) respectively".	
	23	For "native courts within his jurisdiction" substitute "customary courts within his district".	
	39	For "native court" substitute "customary court".	
The Education Law, 1954.	36	For "native court" substitute "customary court".	
The Finance Corporation and Local Loans Boards Law, 1955.	48	For "native court" substitute "customary court" and for "to the extent of the general powers set out in its warrant" substitute "to the extent of its general powers".	

This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

J. M. AKINOLA,  
Acting Clerk of the Regional Legislature

## THE LEGISLATIVE HOUSES (POWERS AND PRIVILEGES) LAW, 1956

## ARRANGEMENT OF SECTIONS

## PART I.—PRELIMINARY

## SECTION

1. Short title.
2. Interpretation.

## PART II.—PRIVILEGES, IMMUNITIES AND POWERS GENERALLY

3. Freedom of speech and debate.
4. Members not liable to action in certain cases.
5. Freedom from arrest in civil proceedings.
6. Restrictions on service of process in House or precincts.
7. Person not liable in damages for acts done under authority of the House.
8. Immunities to be the same as those enjoyed by House of Commons.
9. Commons Journals to be *prima facie* evidence in inquiries touching privileges.
10. Privileges to be noticed judicially.

## PART III.—EVIDENCE BEFORE THE HOUSE AND COMMITTEES

11. Power of committee to order attendance of witnesses.
12. Issue and service of summons to attend.
13. Power to issue warrant to compel attendance.
14. Witness may be examined on oath.
15. Privilege of witnesses.
16. Answers in committee not to be admissible in proceedings.
17. False evidence.
18. Evidence of proceedings in the House or committee not to be given without leave.

## PART IV.—PUBLICATIONS

19. Matter printed by order of the House to be admitted as evidence.
20. Protection of persons responsible for publications authorised by the House.
21. Publication of extracts of proceedings without malice.

## PART V.—MAINTENANCE OF ORDER IN THE HOUSE AND PRECINCTS

22. Regulation of admittance of strangers.
23. Person disturbing proceedings of the House may be arrested without warrant.

## PART VI.—OFFENCES AND CONTEMPTS OF THE LEGISLATURE

24. Breaches of privilege.
25. Jurisdiction of High Court.
26. Procedure in the High Court.
27. Conditions precedent to making of application to High Court.
28. Reference of cases to Attorney-General with statements.
29. House's jurisdiction over offences specified in Part B of Schedule.
30. Punishment which House may impose.
31. Suspended member excluded from Chamber and precincts.
32. Power of arrest for carrying out punishment.
33. Saving for civil actions.
34. Limitation of power of punishment by House of persons.

PART VII.—MISCELLANEOUS

35. Powers of President to be supplementary to powers otherwise conferred.
36. Notification of arrest of members.
37. Courts not to exercise jurisdiction over acts of President or officer.
38. Repeal of Ordinance 16 of 1953.

Assented to in Her Majesty's name this 30th day of August, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

(L.S.)

No. 27



1957

**Western Region of Nigeria**

IN THE SIXTH YEAR OF THE REIGN OF  
**HER MAJESTY QUEEN ELIZABETH II**

ARTHUR GEORGE RIXSON MOORING, C.M.G.  
*Officer Administering the Government of the Western Region*

A LAW TO DECLARE AND DEFINE THE PRIVILEGES, IMMUNITIES AND POWERS OF THE LEGISLATIVE HOUSES OF THE WESTERN REGION AND OF THE MEMBERS THEREOF: TO SECURE FREEDOM OF SPEECH AND DEBATE OR PROCEEDINGS IN THE LEGISLATIVE HOUSES: TO REGULATE THE CONDUCT OF MEMBERS AND OTHER PERSONS IN CONNECTION WITH THE LEGISLATIVE HOUSES AND THEIR PROCEEDINGS: TO GIVE PROTECTION TO PERSONS EMPLOYED IN THE PUBLICATION OF THE REPORTS AND OTHER PAPERS OF THE LEGISLATIVE HOUSES AND FOR PURPOSES INCIDENTAL TO OR CONNECTED WITH THE MATTERS AFORESAID.

[19th September, 1957.]

Date of  
commence  
ment.

BE IT ENACTED by the Legislature of the Western Region of Nigeria as follows :— Enactment.

PART I.—PRELIMINARY

1. This Law may be cited as the Legislative Houses (Powers and Privileges) Law, 1956. Short title.

Interpreta-  
tion.

2. In this Law, unless the context otherwise requires—

“Attorney-General” means the Attorney-General of the Western Region and shall include a person acting as Attorney-General ;

“Clerk” means the Clerk of the House ;

“committee” means a Standing, Select or Special committee of the House and includes any such committee appointed to join with a committee of another House ;

“the Constitution Order” means the Nigeria (Constitution) Order in Council, 1954 ;

“High Court” means the High Court of the Western Region ;

“House” means each of the two Houses of the Regional Legislature, namely, the Western House of Chiefs and the Western House of Assembly and includes a committee ;

“member” means a member of the House, and includes the President, the Speaker and any member presiding in the House or in committee ;

“officer of the House” means any person who may from time to time be appointed to the staff of the House, whether permanently or temporarily, and includes the Clerk and any police officer on duty within the precincts of the House ;

“precincts” includes the offices of the House and the galleries and places provided for the use or accommodation of strangers, members of the public and representatives of the press and any forecourt, yard, garden, enclosure or open space adjoining or appertaining to the building in which the Chambers of the House is situate and used or provided for the purposes of the House ;

“President” includes the Deputy President of the Western House of Chiefs and a person for the time being presiding at a sitting of that House ;

“Speaker” includes the Deputy Speaker of the Western House of Assembly and a person for the time being presiding at a sitting of that House.

## PART II.—PRIVILEGES, IMMUNITIES AND POWERS GENERALLY

Freedom of  
speech and  
debate.

3. There shall be freedom of speech, debate and proceedings in the House and such freedom of speech, debate or proceedings shall not be liable to be impeached or questioned in any court or place out of the House.

Members not  
liable to  
action in  
certain cases.

4. No member shall be liable to any civil or criminal proceedings, arrest, imprisonment or damages by reason of anything which he may have said in the House or by reason of any matter or thing which he may have brought before the House by petition, bill, resolution motion or otherwise.

5. Except for a contravention of this Law, no member shall be liable to arrest, detention, or molestation in respect of—

Freedom from arrest in civil proceedings.

(a) any debt or matter which may be the subject of civil proceedings; or

(b) contempt of court (other than criminal contempt), while proceeding to, or in attendance at, or returning from, any meeting or sitting of the House.

6. Notwithstanding anything in any written Law—

Restrictions on service of process in House or precincts.

(a) no process issued by any court in the exercise of its civil jurisdiction shall be served or executed within the chamber or precincts of the House whilst the House is sitting or through the President or Speaker or any officer of the House ;

(b) no process issued by any court in the exercise of its criminal jurisdiction shall be executed or served within the chamber or precincts of the House whilst it is sitting without the leave of the House first obtained.

7. No person shall be liable in damages or otherwise for any act done under the authority of the House and within its legal powers.

Person not liable in damages for acts done under authority of the House.

8. The House and the members thereof shall hold, enjoy and exercise, in addition to the privileges, immunities and powers conferred by this Law, such and the like privileges, immunities and powers as are for the time being held, enjoyed and exercised by the Commons House of the Parliament of the United Kingdom of Great Britain and Northern Ireland and by the members thereof, so far as the same are not inconsistent with the Constitution Order or this Law.

Immunities to be the same as those enjoyed by House of Commons.

9. Subject to the provisions of this Law, a copy of the Journals of the Commons House of the Parliament of the United Kingdom of Great Britain and Northern Ireland, or of the proceedings of the said House, or of a report of any committee of the said House, which has been or purports to have been printed by the order of or by the printer of the said House shall be received as *prima facie* evidence without proof of its being such copy upon any inquiry touching the privileges immunities and powers of the House or members thereof.

Commons Journals to be *prima facie* evidence in enquiries touching privileges.

10. All privileges, immunities and powers of the House shall be part of the general and public law of the Western Region and the same shall be judicially noticed in all Courts of the Region.

Privileges to be noticed judicially.

#### PART III.—EVIDENCE BEFORE THE HOUSE AND COMMITTEES

11. The House and a committee authorised by the Standing Orders thereof or by an order of the House to send for persons, papers and records may order any person—

Power of committee to order attendance of witnesses.

(a) to attend before it and to give evidence ; or

(b) to attend before it and to produce any paper, book, record or other document in the possession or control of such person.

Issue and service of summons to attend.

12. (1) Any order to attend to give evidence or to produce documents before the House or a committee of the House in accordance with section 11 shall be notified to the person required to attend or to produce documents by a summons under the hand of the President or Speaker, or Chairman of the committee.

(2) In every summons issued in accordance with sub-section (1) of this section there shall be stated the time when and the place where the person summoned is required to attend and, in the case of an order made in accordance with paragraph (b) of section 11, the documents he is required to produce.

(3) Subject to the provisions of sub-section (5) of this section, every such summons shall be served on the person mentioned therein by delivering to him a copy thereof and there shall be paid or tendered to the person so summoned such sum for expenses as may be authorised by Standing Order of the House.

(4) A summons issued in accordance with this section may be served by an officer of the House or by a police officer.

(5) The President or Speaker may, if he is satisfied that for any reason the personal service of a summons cannot be effected, order that service be effected by putting up notice of the summons at the usual or last known place of abode or business of the person to be served.

Power to issue warrant to compel attendance.

13. (1) If a person to whom a summons under section 11 is directed does not attend before the House or committee (as the case may be) at the time and place mentioned therein, the President or Speaker of the House may, upon being satisfied that the summons was duly served or that the person to whom the summons is directed wilfully avoids service, issue a warrant to apprehend him and bring him, at a time and place to be stated in the warrant, before the committee.

(2) A warrant issued under this section shall be executed by a police officer.

(3) The President or Speaker on issuing a warrant for the arrest of any person under this section may, if he thinks fit, by endorsement on the warrant, direct that the person named in the warrant be released after arrest on his entering into such a recognisance before a Magistrate for his appearance before the House or a committee of the House as may be required in the endorsement.

Witness may be examined on oath.

14. The House or a committee of the House, if authorised by Standing Orders or resolution of that House to send for persons, papers and records, may require that any facts, matters and things relating to the subject of enquiry before the House or such committee be verified or ascertained by the oral examination of witnesses, and may cause any such witness to be examined on oath, which the President or Speaker

or the chairman of the committee or the presiding member (as the case may be) is hereby authorised to administer.

15. (1) Subject to the provisions of this section, every person summoned to attend, to give evidence or to produce any paper, book, record or other document before the House or a committee of the House shall be entitled in respect of such evidence or the disclosure of any communication or the production of any such paper, book, record or other document to the same privilege as before the High Court. Privilege of witnesses.

(2) Except with the consent of the Governor-General no public officer shall be required—

(a) to produce before the House or any committee of the House any paper, book, record or other document ; or

(b) to give before the House or any committee of the House evidence on any matter ;

if such paper, book, record or other document or such evidence is stated by the public officer to form part of or to relate to the unpublished official records of any department of the Government of the Federation, or to relate to any affairs of State within the authority of the Government of the Federation.

(3) Except with the consent of the Governor of the Region concerned no public officer shall be required—

(a) to produce before the House or any committee of the House any paper, book, record or other document ; or

(b) to give before the House or any committee of the House evidence on any matter,

if such paper, book, record or other document or such evidence is stated by the public officer to form part of or relate to the unpublished official records of any department of the Government of a Region or to relate to any affairs of state within the authority of the Government of a Region.

(4) If any person ordered to attend or produce any paper, book, record or document before the House or any committee refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the President or Speaker or the chairman of the committee or the presiding member (as the case may be) may excuse the answering of such question or the production of such paper, book, record or document, or may order the answering or production thereof.

16. An answer by a person to a question put by the House or a committee of the House shall not, except in the case of criminal proceedings for an offence against section 117 of the Criminal Code Ordinance or an offence against this Law, be in any proceedings, civil or criminal, admissible in evidence against him.

Answers in committee not to be admissible in proceedings. Cap. 42.

False  
evidence.

17. (1) Any person who before the House or a committee of the House knowingly gives a false answer to any question material to the subject of the enquiry of the committee which may be put to him during the course of his examination shall (in addition to any offence under Part VI of which he may be guilty)—

Cap. 42.

(a) if the answer was given on oath, be deemed to be guilty of an offence against section 117 of the Criminal Code Ordinance and shall be liable on conviction to the punishment therefor prescribed by that Ordinance ;

(b) if the answer was given otherwise than on oath, be guilty of an offence and shall be liable on conviction to imprisonment for twelve months.

(2) No prosecution for an offence under this section shall be instituted except by or with the consent of the Attorney-General.

Evidence of  
proceedings  
in the House  
or committee  
not to be  
given with-  
out leave.

18. No member or officer of the House and no shorthand writer employed to take minutes of evidence before the House or any committee shall give evidence elsewhere in respect of the contents of such evidence or of the contents of any manuscript or document laid before the House or any committee or in respect of any proceedings or examination had at the Bar or before any committee of the House without the special leave of the House first had and obtained.

## PART IV.—PUBLICATIONS

Matter  
printed by  
order of the  
House to be  
admitted as  
evidence.

19. Upon any inquiry touching the privileges, immunities and powers of the House or of any member, any copy of the minutes or proceedings of the House purporting to be printed by the Government Printer shall be admitted as evidence of such minutes or proceedings in all courts and places without any proof being given that such copy was so printed.

Protection of  
persons  
responsible  
for publica-  
tions  
authorised  
by the  
House.

20. Any person, being a defendant in any civil or criminal proceedings instituted for or on account or in respect of the publication by such person or by his servant, by order or under the authority of the House or any committee, of any reports, papers, minutes, votes or proceedings, may, on giving to the plaintiff or prosecutor (as the case may be) twenty-four hours' written notice of his intention, bring before the court in which such civil or criminal proceedings are being held a certificate under the hand of the President or Speaker or of the Clerk stating that the report, papers, minutes, votes or proceedings in respect whereof such civil or criminal proceedings have been instituted were published by such person or by his servants by order or under the authority of the House or any committee, and such court shall thereupon immediately stay such civil or criminal proceedings and the same and every process issued therein shall be deemed to be finally determined.

Publication  
of extracts of  
proceedings  
without  
malice.

21. In any civil or criminal proceedings for printing any extract from or an abstract of any report, paper, votes or proceedings published by or under the authority of the House, if the Court or jury, as the case

may be, be satisfied that such extract or abstract was published *bona fide* and without malice, judgment or verdict, as the case may be, shall be entered for the defendant or accused.

PART V.—MAINTENANCE OF ORDER IN THE HOUSE AND PRECINCTS

22. (1) No stranger shall be entitled, as of right, to enter or to remain within the House or its precincts. Regulation of admittance of strangers.

(2) The President or Speaker is hereby authorised to issue such orders as he may in his discretion deem necessary for the regulation of the admittance of strangers to the House or its precincts, and for the maintenance of order and decorum therein.

(3) Copies of orders made by the President or Speaker under this section shall be duly authenticated by the Clerk and exhibited in conspicuous positions within the precincts of the House ; and such copies, when so authenticated and exhibited, shall be deemed to be sufficient notice to all persons affected thereby.

(4) The President or Speaker may at any time order any stranger to withdraw from the House or its precincts.

23. (1) Any person creating or joining in any disturbance in the House or in the precincts during its actual sitting may be arrested without warrant on the verbal or written order of the President or Speaker, and may be kept in the custody of an officer of the House pending the determination by the House whether or not such person should be punished for an offence under Part VI, but no such person shall be kept in custody after the termination of the sitting. Person disturbing proceedings of the House may be arrested without warrant.

(2) All police officers and other persons are hereby required to assist in the apprehension and detention of any person in pursuance of any such order as aforesaid.

PART VI.—OFFENCES AND CONTEMPTS OF THE LEGISLATURE

24. (1) Each of the acts and omissions specified in the Schedule to this Law (whether in Part A or Part B thereof) shall be an offence under this Part punishable by the High Court under the provisions hereinafter contained in that behalf. Breaches of privilege.

(2) Each of the acts and omissions specified in Part B of the Schedule is hereby declared to be a contempt of the Legislature.

(3) Every contempt of the Legislature which is specified in Part B of the Schedule to this Law and which is committed in respect of or in relation to any House shall be an offence under this Part punishable by that House under the provisions hereinafter contained in that behalf.

25. (1) Upon application made to the High Court in that behalf by the Attorney-General and supported by evidence on affidavit, the Court— Jurisdiction of High Court.

(a) may, if satisfied after perusal of the application and such evidence that any member or other person appears to have committed any offence under this Part, cause notice to be served on such member or person calling upon him to show cause why he should not be punished for that offence ; and

(b) may, if no cause or no sufficient cause as aforesaid is shown to the satisfaction of the Court, after such inquiry as the Court may consider necessary, convict him of the offence and sentence him to imprisonment for a term of two years or to a fine of two hundred pounds or to both such imprisonment and fine.

(2) The jurisdiction conferred on the High Court by sub-section (1) of this section may be exercised by the Chief Justice or any judge of the High Court nominated for the purpose by him.

Procedure  
in the  
High Court.

26. (1) The proceedings and the procedure to be followed upon an application to the High Court under section 25 shall, subject to any rules of court which are made for the purpose, be such as may be determined by the Chief Justice or the judge of the High Court hearing the application ; and in relation to and for the purposes of such proceedings the High Court shall have the same powers, whether of compelling the attendance of persons and the production of documents or otherwise, as the Court has in the exercise of its ordinary jurisdiction.

Law No. 3  
of 1954.

(2) The powers to make and approve rules of court conferred by section 55 of the High Court Law, 1954, shall extend to the making and approval of rules of court prescribing the practice and procedure of the court in proceedings under this Part.

Conditions  
precedent to  
making of  
application  
to  
High Court.

27. (1) An application under section 25 may be made to the High Court by the Attorney-General, in the case of any alleged offence under this Part committed in respect of or in relation to any House, only if—

(a) the Attorney-General has furnished a report to the President or Speaker of that House stating that, in the opinion of the Attorney-General, there is sufficient evidence to warrant the taking of further steps under this Law in that case ; and

(b) that House, after consideration of such report, has by order requested the Attorney-General to make the application.

(2) The making of an application under section 25 by the Attorney-General in any case shall constitute conclusive evidence that the application has been duly made in accordance with the preceding provisions of this section.

Reference of  
cases to  
Attorney-  
General with  
statements.

28. (1) For the purpose of enabling the Attorney-General to furnish a report in relation to any case of an alleged offence under this Part, the President or the Speaker, as the case may be, may—

(a) on complaint of the alleged offence being made to him in chambers by any member ; or

(b) if required so to do by order of the House, refer the case to the Attorney-General for report.

(2) Where a case is to be referred to the Attorney-General under sub-section (1) of this section the President or the Speaker, or any other member, if authorised in writing so to do by the President or the Speaker, or the Clerk of the House if so authorised—

(a) shall record on oath or affirmation the statement of the member making the complaint of the alleged offence ; and

(b) may record on oath or affirmation the statement of any other person whose evidence is or may be in the opinion of the President or Speaker relevant.

The statement of any person may be recorded under the preceding provisions of this section at any time after the case has been referred to the Attorney-General, if the President or the Speaker considers it necessary, whether of his own motion or at the request of the Attorney-General.

(3) The provisions of sections 11 to 14 inclusive shall apply in all respects for the purpose of enabling statements to be recorded under sub-section (2) of this section in like manner as they apply for the purpose of enabling evidence to be taken by a committee, and for the purpose aforesaid the person authorised by or under sub-section (2) of this section to take such statement shall have the same powers as are conferred by those sections on a committee or the chairman thereof.

(4) The provisions of sections 15 to 17 inclusive shall apply to and in relation to any evidence given for the purposes of sub-section (2) of this section.

(5) Notwithstanding anything in the preceding provisions of this section, a person who is alleged to have committed an offence under this Part shall not be bound or compelled without his consent to make any statement under sub-section (2) of this section in relation to that offence.

(6) Where a case is referred under sub-section (1) of this section to the Attorney-General for report, the record of all statements taken under sub-section (2) of this section shall be transmitted to the Attorney-General, and the Attorney-General shall, after consideration of such statements, report to the President or Speaker stating whether, there is, in the opinion of the Attorney-General, sufficient evidence, to warrant the taking of further steps under this Law in respect of an alleged offence under this Part ; and such report shall contain, for the information of the House, a summary of the facts which in the opinion of the Attorney-General, are capable of being proved upon the evidence contained in the statements.

29. (1) Subject to the provisions of this section, the House shall have power and jurisdiction to punish summarily any contempt of the Legislature specified in Part B of the Schedule to this Law which is

House's  
jurisdiction  
over offences  
specified in  
Part B of  
Schedule.

committed in respect of or in relation to that House by any member or any other person.

(2) The House shall not be competent to punish any offence under this Part in any case which has been referred to the Attorney-General as hereinbefore provided, unless a report has been furnished by the Attorney-General under section 28 to the effect that in his opinion there is sufficient evidence to warrant the taking of further steps under this Law in respect of the alleged offence.

(3) The House shall not be competent to take cognizance of or punish any offence under this Part in any case in which an application has been made to the High Court under section 25.

Punishment  
which House  
may impose.

30. (1) Subject to the provisions of this section, the punishment which may be imposed by the House for an offence under this Part shall be the administration by the President or the Speaker of a reprimand at the Bar of the House or removal from the precincts of the House or both.

(2) In the case of an offence committed by a member of the House, the House may, in addition to or instead of any punishment specified in sub-section (1) of this section, order his suspension from the service of House for such period as it may determine :

Provided that such period shall not extend beyond the last day of the meeting next following that in which the order is passed, or of the session in which the order is passed, whichever shall first occur.

(3) In the case of an offence committed by a person who is not a member, the House may, in addition to the punishment specified in sub-section (1) of this section, order that such person shall be prohibited from entering the House or its precincts for a period not exceeding six months.

Suspended  
member  
excluded  
from  
Chamber  
and  
Precincts.

31. (1) A member of the House who has been suspended from the service of the House shall not enter or remain within the Chamber or precincts of the House while such suspension remains in force, and, if any such member is found within the Chamber or precincts of the House in contravention of this section, he may be forcibly removed therefrom by any officer of the House and no proceedings shall lie in any court against such officer in respect of such removal.

(2) No salary or allowance payable to a member of the House for his service as such shall be paid in respect of any period during which he is suspended from the service of the House under the provisions of this section.

Power of  
arrest for  
carrying out  
punishment.

32. For the purpose of securing the attendance of any person at the Bar of the House for reprimand under section 30 or of removing from the precincts of the House any person whose removal has been ordered under that section or whose entry has been prohibited under that section it shall be lawful for the Sergeant-at-Arms or any other officer of the House or police officer, if ordered so to do by the President

or the Speaker, to arrest such person without warrant at any place within the precincts of the House and to use such reasonable force as may be necessary for the purpose aforesaid.

33. Notwithstanding that any act or omission constitutes an offence under this Part, nothing in this Law shall be construed to prevent or restrict the institution or maintenance against any person of any civil action or proceeding for damages or for any other remedy which may be available in respect of or by reason of such act or omission. Saving for civil actions.

34. Nothing in this Law shall confer or be construed to confer on the House any power to impose any punishment on any person other than the power to impose, for any offence specified in Part B of the Schedule, any punishment authorised by section 30 of this Law. Limitation of power of punishment by House of persons.

#### PART VII.—MISCELLANEOUS

35. The powers of the President or Speaker conferred by this Law shall be supplementary to any powers conferred on him by the Constitution Order or by Standing Orders. Powers of President to be supplementary to powers otherwise conferred.

36. Where a member of the House is—

(a) arrested or detained in custody upon the warrant or order of a court ; or Notification or arrest of members.

(b) sentenced by a court to a term of imprisonment, the court shall, as soon as practicable, inform the Speaker or President accordingly.

37. Neither the President or Speaker nor any officer of the House shall be subject to the jurisdiction of any court in respect of the exercise of any power conferred on or vested in him by or under this Law or the Standing Orders of the House or by the Constitution Order. Courts not to exercise jurisdiction over acts of President or officer.

38. The Legislative Houses (Powers and Privileges) Ordinance, 1953, is hereby repealed in so far as it has effect as a Law of the Western Region. Repeal of Ordinance 16 of 1953.

Section 24.

#### SCHEDULE

##### PART A

##### OFFENCES TO BE PUNISHABLE ONLY BY THE HIGH COURT

1. Assaulting, insulting or wilfully obstructing any member coming to or going from the House or on account of his conduct in the House or any committee, or endeavouring to compel any member by force, insult or menace to declare himself in favour of or against any proposition or matter depending or expected to be brought before the House or any committee.

2. Making any oral or written threats to a member or challenging a member to fight on account of his conduct in the House or committee.

3. Tampering with, deterring, threatening, beguiling or in any way unduly influencing any witness in regard to evidence to be given by him before the House or any committee.

4. Presenting to the House or to any committee any false, untrue, fabricated or falsified document with intent to deceive the House or any committee.

5. Wilfully publishing any false or perverted report of any debate or proceedings of the House or a committee or wilfully misrepresenting any speech made by a member in the House or in committee.

6. Wilfully publishing any report of any debate or proceedings of the House or a committee conducted behind closed doors or the publication of which has been prohibited by the House or committee.

7. The publication of any defamatory statement reflecting on the proceedings or the character of the House.

8. The publication of any defamatory statement concerning any member in respect of his conduct as a member.

9. The offering to or acceptance by any member or officer of the House of a bribe to influence him in his conduct as such member or officer, or the offering to or acceptance by any member or officer of the House of any fee, compensation, gift or reward for or in respect of the promotion of or opposition to any Bill, resolution, matter, rule or thing submitted to or intended to be submitted to the House or any committee.

10. Molesting officers of the House on their way to and from the House or on account of their conduct as such officers.

11. Molesting witnesses on account of evidence given by them before the House or a committee of the House.

12. Destroying documents which a person has been ordered to produce for the House or a committee of the House.

13. The printing of a copy of any Law or of any report, paper, minutes, or notes or proceedings of the House or any committee, which purports to have been printed by the Government Printer or by or under the authority of the House or any committee but which in fact has not been so printed or the tendering in evidence of any such copy as aforesaid.

14. The abetment of any act or omission specified in any of the preceding paragraphs.

## PART B

### OFFENCES TO BE PUNISHABLE EITHER BY THE HOUSE OR THE HIGH COURT

1. The wilful failure or refusal to obey any order or resolution of the House under this Law, or any order of the President or Speaker or any member which is duly made under this Law.

2. Wilful disobedience to any order for attendance or for production of papers, books, records, or documents made by the House or any committee duly authorised in that behalf unless such attendance or production be excused as provided in section 15.

3. Refusing to be examined before or to answer any lawful and relevant question put by the House or any such committee, unless such refusal be excused as provided in section 15.

4. Assaulting, insulting or wilfully interfering with any member in the House or in committee or in the precincts of the House.
5. Assaulting or resisting or wilfully interfering with an officer of the House in the execution of his duty.
6. Creating or joining in any disturbance in the Chamber or in committee or in the vicinity of the House while the House or any committee is sitting, knowing or having reasonable grounds to believe that proceedings of the House or committee are or are likely to be interrupted.
7. Disrespectful conduct in the precincts of the House.
8. Prevarication or other misconduct as a witness before the House or in committee.
9. The publication of any proceedings in a committee of the House before they are reported to the House.
10. The abetment of any act or omission specified in any of the preceding paragraphs.

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This printed impression has been carefully compared by me with the Bill that has passed the Western House of Assembly and the Western House of Chiefs, and is found by me to be a true and correctly printed copy of the said Bill.

**J. M. AKINOLA,**  
*Acting Clerk of the Regional Legislature*

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## W.R.L.N. 1 of 1957

*Produce Inspection Ordinance, 1950*  
(No. 24 of 1950)

THE RUBBER (INSPECTION FOR EXPORT) (AMENDMENT)  
REGULATIONS, 1956

DATE OF COMMENCEMENT : 1ST NOVEMBER, 1956

In exercise of the powers conferred by section 8 of the Produce Inspection Ordinance, 1950, the Produce Inspection Board has made the following Regulations :—

- |  |   |
|--|---|
| 1. These Regulations may be cited as the Rubber (Inspection for Export) (Amendment) Regulations, 1956, and shall come into operation on the 1st day of November, 1956. | Citation and commencement.                        |
| 2. The first schedule of the Principal Regulations is amended by the addition of the following :—  | Amendment of First Schedule.                      |
| 6. Messrs John Holt and Company (Liverpool) Limited.   | 149/153 Broad Street, Lagos.                      |
| 7. Association of Nigerian Co-operative Exporters Limited.   | Ijebu Bye Pass, P.O. Box 477, Ibadan.             |
| 8. The British Bata Shoe Company Limited.  | 81/87 Broad Street, Lagos.                        |
| 9. Nigerian Rubber Company Limited   | Barlow Brothers Limited, 194 Broad Street, Lagos. |
| 10. John Edokpolo ... ..   | No. 9 Eyaenugie Street, P.O. Box 381, Benin City. |
| 11. Dahlton Ogieva Asemota ... ..  | 17 Ikpoba Road, Benin City.                       |
| 12. London and Delta Trading Company.  | Box 383, 7A Market Road, Benin City.              |
| 13. Stanley Garrick and Sons ... ..  | 19 Forestry Road, Benin City.                     |
| 14. Mandilas and Karaberis Limited ...   | 134 Victoria Street, Lagos.                       |
| 15. Daarnhouwer and Company Limited  | Market Road, Sapele.                              |
| 16. Bryden, Gheyne and Company ...   | P.O. Box 32, Agbor.                               |
| 17. Recce Degbeyin Edukugho ... ..   | P.O. Box 329, Warri.                              |
| 18. Kagho Sons and Brothers ... ..   | No. 4 Warri/Sapele Road, Warri.                   |
| 19. Afro-Nigerian Export and Import Company.   | Afro-Nigerian Export and Import Company, Sapele.  |
| 20. Czechoslovak-Nigerian Export and Import and Company.   | 14/16 Portnovno Market Street, Lagos.             |
| 21. Agbontaen Brothers and Company   | Ikpoba Road, Benin City.                          |
| 22. The United Africa Company of Nigeria Limited.  | Niger House, Lagos.                               |
| 23. Sapele Rubber and Trading Company.   | P.O. Box 95, Sapele.                              |
| 24. Stephen Uhuenamure Ogbebor ...   | 6 James Watts Road, Benin City.                   |
| 25. Ehanire Trading and Transport Service.   | 2nd East Circular Road, P.O. Box 23, Benin City.  |
| 26. Joseph Asaboro ... ..  | P.O. Box 105, Market Road, Sapele.                |

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|---|--------------------------------------|
| 27. Societe Commerciale De L'Quest African. | 152 Broad Street, Lagos.             |
| 28. Edo Brothers and Company ...            | 21 Upper Mission Road, Benin City.   |
| 29. Josephs, Palmers and Company ...        | 5/1 Decima Road, Sapele.             |
| 30. F. G. Spiropoulos ... ..                | Abrahall Road, Sapele.               |
| 31. Peter Akpomedaye and Sons ...           | P.O. Box 87, Warri.                  |
| 32. F. A. Paul and Company Limited ...      | Box 220, Sapele.                     |
| 33. Messrs Bazuaye Brothers (Efosa) ...     | 19 Ikpoba Road, Benin City.          |
| 34. C. S. Mandrides ... ..                  | P.O. Box 20, Benin City.             |
| 35. S. Thomopulos and Company Limited.      | 148 Broad Street, Lagos.             |
| 36. A. Flionis and Company Limited ...      | P.O. Box 74, Sapele.                 |
| 37. Zaccheus Jimo Aroko and Sons ...        | No. 3 Oroghotodi Street, Benin City. |

Amendment  
of  
Regulation 4  
of the Prin-  
cipal Regula-  
tions.

3. The definition of Grade B. 2 Rubber in Regulation 4 of the Principal Regulations is amended by deleting the words "undercured and/or slightly uncured rubber" at the end of the definition and substituting the words "and/or slightly undercured rubber."

MADE by the Produce Inspection Board at Lagos this 16th day of October, 1956.

N. A. MARTINS,  
*Chairman*

E. O. ITAM,  
*Secretary*

#### EXPLANATORY NOTE

The amendment to the First Schedule exempts the rubber exporters named from the provisions of the Rubber Regulations.

The amendment to Regulation No. 4 is to facilitate the enforcement of better curing of Grade B. 2 rubber.

## W.R.L.N. 2 of 1957

*Produce Inspection Ordinance, 1950*  
(No. 24 of 1950)

GROUNDNUTS (INSPECTION FOR EXPORT)  
(AMENDMENT No. 2) REGULATIONS, 1956

DATE OF COMMENCEMENT : 1ST NOVEMBER, 1956

In exercise of the powers conferred by section 8 of the Produce Inspection Ordinance, 1950, the Produce Inspection Board has made the following Regulations—

1. These Regulations may be cited as the Groundnuts (Inspection for Export) (Amendment No. 2) Regulations, 1956, and shall come into operation on the 1st day of November, 1956. Citation and commencement.
2. Regulation 2 of the Groundnuts (Inspection for Export) Regulations 1951 (hereinafter referred to as the principal regulations) as amended by the Groundnuts (Inspection for Export) (Amendment) Regulations, 1956, is amended by the deletion in the definition of "Kano area" of the words "producing area" and the substitution therefor of the following—  
"producing areas". Amendment of regulation 2 of regulations 29 of 1951. (1951 Amendment Vol. No. 303) L.N. 44 of 1956.
3. Regulation 10 of the principal regulations as amended by the Groundnuts (Inspection for Export) (Amendment) Regulations, 1955, is amended by the insertion in paragraph 2 immediately after the word "Board" of the following—  
"or the Eastern Regional Marketing Board, as the case may be". Amendment of regulation 10. L.N. 42 of 1955.
4. Regulation 9 of the principal regulations is amended by the addition of the following new paragraph—  
"(3) Groundnuts sold for export in the Eastern Region shall be subject to inspection prior to transportation to port". Amendment of regulation 9.
5. Regulation 15 of the principal regulations as amended by the Groundnuts (Inspection for Export) (Amendment) Regulations, 1955, is amended by the insertion immediately after the word "Board" of the following—  
"or the Eastern Regional Marketing Board, as the case may be". Amendment of regulation 15.
6. Regulation 25 of the principal regulations is amended by the insertion after the words "awaiting railment" of the following—  
"or other form of transportation". Amendment of regulation 25.

MADE by the Produce Inspection Board at Lagos this 16th day of October, 1956.

N. A. MARTINS,  
*Chairman*

E. O. ITAM,  
*Secretary*

EXPLANATORY NOTE

As a result of developments in groundnut production in the Eastern Region it is expected that there will be an exportable surplus of this crop and these regulations make provision for produce inspection facilities. Regulation 2 corrects a printing error in the amendment regulations made earlier this year.

## W.R.L.N. 3 of 1957

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

## DELEGATION OF POWERS

DATE OF COMMENCEMENT : 3RD JANUARY, 1957

In exercise of powers conferred upon the Regional Authority by section 218 of the Western Region Local Government Law, 1952 (hereinafter called the Law) the Regional Authority hereby delegates to the persons set out in the fourth column opposite to the said persons, which said powers are conferred upon the Regional Authority by the section of the Law set out in the third column adjacent thereto.

<i>No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
1	To approve or amend a bye-law made under the common seal of a Council, and to fix the date upon which the bye-law shall come into operation.	78 (1)	In case of Divisional and District Councils—Minister of Justice and Local Government or Minister of Local Government. In case of Local Councils—Local Government Inspectors.
2	To approve or amend a bye-law made under the common seal of a Council, and to fix the date upon which the bye-law shall come into operation.	78 (3)	
3	To make, amend or revoke any bye-law.	80	In case of Divisional and District Councils—Minister of Justice and Local Government or Minister of Local Government. In case of Local Councils—Local Government Inspectors.

2. Serials Nos. 18 to 20 of W.R.L.N. 368 of 1955 are hereby revoked.

MADE by the Regional Authority this 3rd day of December, 1956.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 4 of 1957

*The Western Region Local Government Law, 1952*  
*(No. 1 of 1953)*

THE REGISTRATION OF MARRIAGES  
 ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 3RD JANUARY, 1957

In exercise of the powers conferred by section 78A of the Western Region Local Government Law, 1952, upon the Minister to whom responsibility for local government is assigned, the following Order is hereby made :—

1. This Order may be cited as the Registration of Marriages Adoptive Bye-laws Order, 1956. Short title.
2. (1) The Adoptive Bye-laws contained in the Schedule to this Order are hereby made. Making and adoption of scheduled bye-laws.
- (2) The said bye-laws may be adopted in accordance with the provisions of section 78A of the Western Region Local Government Law, 1952, as a whole, but not in parts by a local government council to whose functions they relate.

## SCHEDULE

1. These Bye-laws may be cited as the Registration of Marriages Adoptive Bye-laws, 1956. Short title.
2. In these Bye-laws— Interpretation.
- “the council” means the council which has adopted these bye-laws ;
- “marriage” means any native customary marriage contracted within the area of authority of the council ;
- “particulars” means the particulars comprised in the form contained in the schedule to these bye-laws ;
- “proper registry” in relation to a marriage, means the registrar’s office appointed by the council for the registration of such marriage ;
- “registrar” means any person appointed or directed to act, by the council, as registrar or assistant registrar for the purposes of these bye-laws.
3. (1) Where a marriage is contracted after the adoption of these bye-laws, the husband shall within one month of the date of such marriage— Registration of marriages.
- (a) attend in person at the proper registry and state the particulars of the marriage to the registrar ;
- (b) pay to the registrar the fee of two shillings and sixpence.
- (2) The registrar shall upon payment of the fees register such marriage.
- (3) Any party to a marriage contracted before the adoption of these bye-laws may attend in person at the proper registry and state the particulars of such marriage to the registrar, and the registrar, if satisfied of the correctness of such particulars, shall register the marriage free of charge.
4. (1) The registrar shall register a marriage by recording in the proper books provided by the council the particulars reported to him and sign such entry. Duties of registrar.
- (2) The registrar shall keep such other records and furnish such returns and perform such duties as the council may direct.

Custody, inspection and copy of marriage register.

5. (1) No marriage register shall be removed or taken out of a registry except by an order in writing of the council or an order of court.

(2) Any person may—

(a) on payment of a fee of one shilling, be allowed to inspect a marriage register during official hours ; and

(b) on payment of a fee of two shillings be supplied with a certified true copy of an entry in a marriage register.

Offences.

6. Any person who—

(a) fails or neglects to attend before a registrar in accordance with the requirements of paragraph (1) of bye-law 3 ; or

(b) fails or neglects without reasonable excuse to supply the particulars of a marriage in accordance with the requirements of paragraph (1) of bye-law 3,

shall be guilty of an offence and shall be liable on conviction to a fine of two pounds.

Variation of schedule.

7. The particulars in the Schedule required to be entered in respect of a marriage may be varied by resolution of the council of which notice is published in the manner authorised by the Law.

#### SCHEDULE

##### Particulars to be entered in the Marriage Register

Name of husband.....Address.....

Name of wife.....Address.....

Husband's age.....wife's age.....

Husband's occupation.....

Date of marriage.....

Name of any person whose consent is required.....

Dowry paid (if any).....

MADE at Ibadan this 29th day of December, 1956.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 5 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

INSTRUMENT AMENDING THE INSTRUMENTS ESTABLISHING  
COUNCILS IN THE AKOKO DIVISIONAL COUNCIL AREA

In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Schedule to the Instruments establishing the following Councils are hereby amended as follows:—

SCHEDULE

<i>Council</i>	<i>Instrument</i>	<i>Amendment</i>
Akoko Divisional Council ... ..	W.R.L.N. 150 of 1954	Paragraph A (ii) (d) : delete (57).
Ikare District Council ... ..	W.R.L.N. 149 of 1954	Paragraph A (ii) (g) : add (57).
Omuo Local Council ... ..	W.R.L.N. 147 of 1954	Paragraph A (ii) (g) : add (57).
Arigidi Local Council ... ..	W.R.L.N. 148 of 1954	Paragraph A (ii) (g) : add (57).
Ogbagi Local Council ... ..	W.R.L.N. 153 of 1954	Paragraph A (ii) (g) : add (57).
Irun Local Council... ..	W.R.L.N. 154 of 1954	Paragraph A (ii) (g) : add (57).
Ishua Local Council ... ..	W.R.L.N. 152 of 1954	Paragraph A (ii) (g) : add (57).
Ikeram Local Council ... ..	W.R.L.N. 151 of 1954	Paragraph A (ii) (g) : add (57).
Ukpe-Ekpeme Local Council ... ..	W.R.L.N. 155 of 1954	Paragraph A (ii) (g) : add (57).
Helabo Local Council ... ..	W.R.L.N. 156 of 1954	Paragraph A (ii) (g) : add (57).
Ikamerin Local Council ... ..	W.R.L.N. 157 of 1954	Paragraph A (ii) (g) : add (57).
Ilumejo Local Council ... ..	W.R.L.N. 158 of 1954	Paragraph A (ii) (g) : add (57).
Isowopo Local Council ... ..	W.R.L.N. 159 of 1954	Paragraph A (ii) (g) : add (57).
Ajowa Local Council ... ..	W.R.L.N. 160 of 1954	Paragraph A (ii) (g) : add (57).

MADE by the Regional Authority this 24th day of December, 1956.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 6 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS, 1956

DATE OF COMMENCEMENT : 10TH JANUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Idanre District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 135 of 1954, the Idanre District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 22nd day of September, 1956, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

I. D. CAMERON,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 5th January, 1956.

## W.R.L.N. 7 of 1957

*The Government Lotteries Law, 1955*THE GOVERNMENT LOTTERIES  
(AMENDMENT) (No. 2) REGULATIONS, 1956

DATE OF COMMENCEMENT : 17TH JANUARY, 1957

In exercise of the powers conferred upon the Governor-in-Council by section 6 of the Government Lotteries Law, 1955, the following Regulations are hereby made :—

1. These regulations may be cited as the Government Lotteries (Amendment) (No. 2) Regulations, 1956. Short title.
2. (1) Regulations 2 of the Government Lotteries Regulations, 1956, (hereinafter referred to as the principal regulations) shall be renumbered as paragraph (1) of regulation 2. Amendment of regulation 2 of W.R.L.N. 25 of 1956.
- (2) There shall be added to the said regulation 2 the following new paragraph :—
 

“(2) Where, in relation to a ticket or an application or an interleaf, reference is made in these regulations to the serial letter and number, it shall mean such a combination of letters and figures in series or such combination of figures in series as may be determined by the Director”.
3. For sub-paragraph (a) of paragraph (3) of regulation 3 of the principal regulations there shall be substituted the following sub-paragraph :— Amendment of regulation 3 of principal regulations.

“(a) to ascertain and report to the Director—

  - (i) that the number of tickets issued for the lottery does not exceed the number authorised in accordance with regulation 6 ;
  - (ii) the total number of applications brought to account ;
  - (iii) the total amount of subscriptions and other moneys collected ;”
4. (1) Sub-paragraph (f) of paragraph (1) of regulation 11 of the principal regulations shall be deleted. Amendment of regulation 11 of Principal regulations.
- (2) After paragraph (1) of the said regulation 11 there shall be inserted the following new paragraph :—
 

“(1A) Where the name of more than one person is entered on an application the Director may treat the person whose name appears to him to be entered first on the application as the subscriber, but if for any cause a ticket is not issued to that person the subscription shall be invalid”.
5. There shall be inserted in regulation 23 of the principal regulations, after paragraph (2), the following new paragraph— Amendment of regulation 23 of principal regulations.

“(2A) Where it appears to the Director that a person is entitled to a prize and that he is not of full age the Director may—

  - (a) cause payment of the prize to be made to such person who satisfies the Director that he is the parent or guardian having the lawful custody of the person entitled to the prize ; or

(b) if no person satisfies him that he is the parent or guardian having the lawful custody of the person entitled to the prize or if for any cause he thinks it desirable, deposit the amount of the prize in a court of competent jurisdiction to be dealt with, subject to the provisions of paragraph (3) according to the orders of the court".

MADE by the Governor in Council at Ibadan this 11th day of December, 1956.

By His Excellency's Command,  
D. A. MURPHY,  
*Acting Secretary to the Premier and Executive Council*

## W.R.L.N. 8 of 1957

*The Education Law, 1954 ( No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF AKOKO-EDO DISTRICT COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 17TH JANUARY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Akoko-Edo District Council) Order, 1957. Short title.
2. The Akoko-Edo District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following :— Composition of education committee.
- (a) a chairman ;
- (b) five council members ; and
- (c) six private members.
- (2) (a) The Chairman and the five Council members shall be members of the local education authority and shall be appointed by it.
- (b) the private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
- (3) Of the private members—
- (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
- (b) five shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Akoko-Edo District Council. Tenure of office of members of committee.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Akoko-Edo District Council, occurring next after his appointment.
- (3) The seat of a private member of the education committee shall become vacant —
- (a) upon his death ;

(b) If he is absent from four successive meetings of the Committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph 3 (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Akoko-Edo District Council.

MADE at Ibadan the 2nd day of January, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 8th day of January, 1957.

O. A. ADEYI,  
*Minister of Local Government*

**W.R.L.N. 9 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1956  
THE ANIOCHA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 17TH JANUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Aniocha District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 19 of 1954, the Aniocha District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 14th day of August, 1956, that the Vehicle Licensing Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 11  
of 1956.

I. D. CAMERON,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, January 1957.

**W.R.L.N. 10 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

REGISTRATION OF BIRTHS AND DEATHS ADOPTIVE  
BYE-LAWS, 1956 : ANIOCHA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 17TH JANUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Aniocha District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice No. 19 of 1954, the Aniocha District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 14th day of August, 1956, that the Registration of Births and Deaths Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N.15.

I. D. CAMERON,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 8th January, 1957.

**W.R.L.N. 11 of 1957**

*The Survey Ordinance (No. 29 of 1952)*

DELEGATION OF POWER

DATE OF COMMENCEMENT : 17TH JANUARY, 1957

In exercise of the powers conferred upon the Regional Director of Surveys by section 36 of the Survey Ordinance, I hereby delegate to the officers of the Regional Survey Department of the Western Region set out hereunder in the first column the powers set out hereunder in the second column :—

1	2
G. ARNETT ... ..	} All the powers of the Regional Director conferred by section 23 of the Survey Ordinance, 1952, to countersign maps, plans and diagrams of land.
W. GASCOYNE ... ..	

W. G. WOOKIEY,  
*Regional Director of Surveys,  
Western Region*

Ibadan, 11th January, 1957.

**W.R.L.N. 12 of 1957**

*The Road Traffic Ordinance (No. 43 of 1947)*

DATE OF COMMENCEMENT : 1ST JANUARY, 1957

In exercise of the powers conferred by section 11 (vii) of the Road Traffic Ordinance, 1947 which said powers the Divisional Adviser, Ikeja, has been specified by the Governor to exercise the following Order is hereby made :—

This Order may be cited as the Control of Traffic (Prohibition of Waiting Vehicles) (Igbobi area) Order, 1956 and shall come into operation on the first day of January, 1957.

2. No motor vehicle shall wait upon the carriage way within fifty yards on either side of the entrance to the Orthopaedic Hospital, Igbobi.

MADE at Ikeja this 26th day of November, 1956.

C. B. DODWELL,  
*Divisional Adviser, Ikeja Division*

**W.R.L.N. 13 of 1957**

*Aid to Pioneer Industries Ordinance, 1952*

**AID TO PIONEER INDUSTRIES (No. 5) (AMENDMENT)  
ORDER, 1956**

DATE OF COMMENCEMENT : 22ND NOVEMBER, 1956

In exercise of the powers conferred by sub-section (4) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the Governor-General, after consultation with the Council of Ministers, has made the following Order—

1. This Order may be cited as the Aid to Pioneer Industries (No. 5) Citation. (Amendment) Order, 1956.

2. The Schedule to the Aid to Pioneer Industries (No. 5) Order, 1955, is amended by the addition under the heading "Product" of the following—  
"and other minerals the mining of which forms part of mining operations in respect of lead or zinc".

Amendment  
of Schedule  
to L.N. 98  
of 1955.

C. E. H. TUCK,

*Acting Deputy Secretary to the Council of Ministers*

16th November, 1956.

**EXPLANATORY NOTE**

The effect of the amendment is to extend the scope of the existing pioneer industries Order applicable to lead and zinc mining by underground methods to cover minor associated minerals. Thirty days notice to enable objections to be made has been given in accordance with the Ordinance and none have been received.



## W.R.L.N. 14 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY  
(APPOINTMENT OF ONDO DIVISIONAL COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 24TH JANUARY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

This Order shall be cited as the Local Education Authority (Appointment of Ondo Divisional Council) Order, 1957.

2. The Ondo Divisional Council is appointed to be the local education authority for the area over which it exercises authority, less the Area of the Ile-Oluji District Council.

3. (1) The education committee of the local education authority appointed by this order shall be composed of the following—

- (a) a chairman ;
- (b) four council members ; and
- (c) eight private members.

(2) (a) The Chairman and the four council members shall be members of the local education authority and shall be appointed by it.

(b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.

(3) Of the private members—

(a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;

(b) four shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies ;

(c) two shall be appointed to represent women's interests.

4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Ondo Divisional Council.

(2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Ondo Divisional council, occurring next after his appointment.

(3) The seat of a private member of the education committee shall become vacant—

- (a) upon his death ;

Short title.

Appointment of local education authority.

Composition of education committee.

Tenure of office of members of committee.

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph 3 (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Ondo Divisional Council.

MADE at Ibadan the 2nd day of January, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 8th day of January, 1957.

A. O. ADEYI,  
*Minister of Local Government*

W.R.L.N. 15 of 1957

*ORDER made under THE DOGS ORDINANCE*  
(*Cap. 56*)

DATE OF COMMENCEMENT : 24TH JANUARY, 1957

In exercise of the powers conferred upon the Asaba Urban District Council by section 11 of the Dogs Ordinance (Cap. 56) and with the approval of the Governor, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Asaba Urban District Council (Dog Licence Fee) Order, 1956, and shall come into force on 1st January, 1956.

2. The licence fee to be paid for dogs or bitches for the area, particulars of which are set out in the first column of the Schedule hereto shall be that shown in the third column thereof in respect of the animals shown in the second column of the same schedule.

## SCHEDULE

<i>Area</i>	<i>Animal</i>	<i>Fee</i>
Asaba Urban District Council Area	... Each dog or bitch	... .. 5s

MADE by the Asaba Urban District Council this 16th day of October, 1956, the common seal of the Council being hereunto affixed in the presence of :

OBI EMENASHI,  
*President,*  
*Asaba Urban District Council*

J. I. G. ONYIA,  
*Chairman,*  
*Asaba Urban District Council*

S. B. K. OKOBI,  
*Secretary|Treasurer,*  
*Asaba Urban District Council*

MADE at Ibadan this 15th day of January, 1957.

J. D. RANKINE,  
*Governor,*  
*Western Region*

**W.R.L.N. 16 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**IDANRE DISTRICT COUNCIL : CONTROL OF PIGS  
(ADOPTIVE) BYE-LAWS, 1956**

**DATE OF COMMENCEMENT : 24TH JANUARY, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Idanre District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice No. 135 of 1954, the Idanre District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 22nd day of September, 1956, that the Control of Pigs Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 12  
of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 14th January, 1957.

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

INSTRUMENT AMENDING THE INSTRUMENTS ESTABLISHING  
CERTAIN LOCAL GOVERNMENT COUNCILS

DATE OF COMMENCEMENT : 24TH JANUARY, 1957

In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Instruments shown in the second column of the Schedule to this Notice establishing the Councils shown in the first column of the said Schedule are hereby amended by the deletion of the paragraph shown in the third column of the said Schedule and the substitution thereof of the paragraph shown in the fourth column of the said Schedule :

SCHEDULE

Council	Instrument	Delete	Substitute
Benin City Council	W.R.L.N. 192 of 1955	Paragraph (ii) (a) of the Schedule to the Instrument	
Ede District Council	W.R.P.N. 145 of 1953	Paragraph (ii) of the Schedule to the Instrument	
Egba Divisional Council	W.R.L.N. 164 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Ekiti Western District Council	W.R.L.N. 5 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Ewohimi-Evattro-Ewossa District Council	W.R.L.N. 213 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Ijebu-Ode District Council	W.R.L.N. 11 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Ijebu-Remo Divisional Council	W.R.P.N. 72 of 1953	Paragraph (ii) of the Schedule to the Instrument	
Ijesha Divisional Council	W.R.L.N. 113 of 1954	Paragraph (ii) of the Schedule to the Instrument	
Ilaro District Council	W.R.P.N. 142 of 1953	Paragraph (ii) of the Schedule to the Instrument	
Issua-Ewu District Council	W.R.L.N. 211 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Iwo-Uda-Esaba District Council	W.R.L.N. 212 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Iwo District Council	W.R.P.N. 156 of 1953	Paragraph (ii) of the Schedule to the Instrument	
North-East Ishan District Council	W.R.L.N. 214 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Ogbomosho District Council	W.R.P.N. 157 of 1953	Paragraph (ii) of the Schedule to the Instrument	
Oshogbo District Council	W.R.P.N. 151 of 1953	Paragraph (ii) of the Schedule to the Instrument	
Oyo Southern District Council	W.R.L.N. 142 of 1954	Paragraph (ii) of the Schedule to the Instrument	
Sapele Urban District Council	W.R.L.N. 220 of 1955	Paragraph (ii) of the Schedule to the Instrument	
South-East Ishan District Council	W.R.L.N. 216 of 1955	Paragraph (ii) of the Schedule to the Instrument	
Uromi-Uzea District Council	W.R.L.N. 210 of 1955	Paragraph (ii) of the Schedule to the Instrument	

MADE by the Regional Authority this 14th day of January, 1957.

D. A. MURPHY,

Acting Secretary to the Premier and Executive Council



## W.R.L.N. 18 of 1957

*BYE-LAWS made under THE WESTERN REGION  
LOCAL GOVERNMENT LAW, 1952  
(No. 1 of 1953)*

THE IBADAN (PROVISIONAL) DISTRICT COUNCIL  
(CONSERVANCY) BYE-LAWS, 1956

DATE OF COMMENCEMENT : 31ST JANUARY, 1957

In exercise of the powers conferred upon the Council by section 77 of the Western Region Local Government Law, 1952 and of the Western Region Legal Notice 26 of 1956, the following Bye-laws are made by the Ibadan (Provisional) District Council with the approval of the Minister of Local Government.

1. These Bye-laws may be cited as the Ibadan (Provisional) District Council (Conservancy) Bye-laws, 1956 and shall apply to all persons within the area of jurisdiction of the Ibadan (Provisional) District Council. Short title and application.
2. In these Bye-laws :— Definition.

“Council” means the Ibadan (Provisional) District Council.

“Medical Officer of Health” includes a Health Officer, a health superintendent, sanitary inspector or other person acting under the authority whether general or special, of the medical officer of health and whether or not such sanitary inspector or other person is serving in the Medical Department of Government or is in the service of the Council.

“Owner” includes the lessee of any premises and in the case of an absentee, his local agent for the collection of rents.
3. (a) No person shall contract to carry out conservancy in Ibadan Town unless he is registered with the Council. Registration of Contractor.

(b) Application for registration for conservancy contract shall be made to the Council which may accept or refuse such registration on the advice of the Medical Officer of Health.

(c) The Council may on the advice of the Medical Officer of Health permit approved institutions to enter into separate conservancy contracts. All such contractors shall register with the Council which on the advice of the Medical Officer of Health, may refuse registration, and the contractors shall carry out their work in a manner satisfactory to the Medical Officer of Health and in accordance with the provisions of these bye-laws.
4. Night-soil shall not be removed from any building or carried along any public street at any other time than between the hours of 8 p.m. and 4 a.m. unless by permission of the Medical Officer of Health. Hours of clearing.
5. Any pail or other receptacle containing night-soil shall not be emptied into any drain or sewer or public latrine or elsewhere, save in accordance with the directions either general or special, of the Medical Officer of Health. Disposal.

## B 24

- Official Conservancy service to be used. 6. No person shall service or cause to be serviced any pail or other receptacle containing night-soil except by the official service run by the Council under the supervision of the Medical Officer of Health or except as provided in bye-law 3 (c).
- Pail to be provided with absorbent. 7. Before removal of any pail from any premises the owner shall ensure that it shall contain a sufficient quantity of dry earth, saw-dust, ashes or other suitable substance to act as absorbent and deodorant.
- Pail to be provided with a tight-fitting cover. 8. No person shall carry any pail containing excrement or filth of any description along any public street unless the same is provided with a proper tight-fitting cover.
- Person removing night-soil to carry a lamp. 9. Any person carrying any pail containing excrement during the night shall carry a lighted lantern.
- Public latrine. 10. No person shall void any excrement or urine upon the floor of any public latrine or upon any portion of the latrine other than in the receptacle furnished for that purpose.
- Owner of premises to provide latrine accommodation. 11. (a) The owner of any premises shall, to the satisfaction of the Medical Officer of Health provide and maintain adequate latrine accommodation containing a suitable pail or pails for the use of the persons residing on such premises, except where salgas and water closets are provided.  
(b) Where premises are designed to accommodate or do in fact accommodate more than twelve residents the owner shall provide an additional pail for each multiple of twelve persons or part thereof.  
(c) The owner shall cause all such pails or receptacles to be removed and emptied daily in accordance with the provisions of these bye-laws.  
(d) No pail latrine shall be installed in any premises unless it is approved by the Medical Officer of Health.
- Latrine to be maintained in a clean condition. 12. It shall be the responsibility of the person or persons residing in the premises to maintain the latrine therein in a clean and sanitary condition to the satisfaction of the Medical Officer of Health.
- Penalty. 13. Any person contravening or failing to comply with any of the provisions of bye-laws 3, 4, 5, 6, 7, 8, 9, 10, 11 or 12 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment not exceeding six months.
- Conservancy Fees. 14. The fees charge for conservancy carried out by the Council in respect of any premises within its area shall be payable quarterly in advance to the Council as prescribed in the schedule hereto :
- Provided that where the service ceases before the end of the quarter for which fees have been paid, a refund shall be made in respect of each complete month in which service is not provided by the Council.

### SCHEDULE

Per Pail emptied per month 7s 6d

MADE by the Ibadan (Provisional) District Council this 7th day of August, 1956, the common seal of the Ibadan (Provisional) District Council being hereto affixed in the presence of—

Oba I. B. Akinyele,  
*Chairman,*  
*Ibadan (Provisional) District Council*

V. Owolabi Esan,  
*Secretary,*  
*Ibadan (Provisional) District Council*

*Signified in accordance with the Ibadan (Provisional) District Council Standing Orders dated 13th March, 1956.*

APPROVED by me this 21st day of January, 1957.

O. A. Adeyi,  
*Minister of Local Government*

**W.R.L.N. 19 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICERS

DATE OF COMMENCEMENT : 1ST DECEMBER, 1956

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointments as Registration Officers are hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Egbado East ...	Secretary/Treasurer, Ilaro District Council.	Ilaro District Council Area
	Secretary/Treasurer, Egbado-Ifonyin District Council.	Egbado-Ifonyin District Council Area.

2. The appointment of a Registration Officer in respect of Egbado East notified in Western Region Legal Notice 253 of 1956 is revoked.

P. H. BALMER,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 1st December, 1956.

**W.R.L.N. 20 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 6TH JANUARY, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Urhobo West ...	D. W. M. Bazunu ... ..	Western Urhobo District Council Area.

2. The appointment of a Registration Officer in respect of the Western Urhobo District Council area notified in Western Region Legal Notice 253 of 1956 is revoked.

P. H. BALMER,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 6th January, 1957.

## W.R.L.N. 21 of 1957

*The Direct Taxation Ordinance (Cap. 54)*

DATE OF COMMENCEMENT : 13TH MARCH, 1956

Notice is hereby given that in exercise of the powers conferred upon the Governor by section 15 B (1) of the Direct Taxation Ordinance (Cap. 54) the Governor, Western Region, has appointed the council named in column one hereunder to be the tax collecting authority for the area of its jurisdiction with effect from the date set out against the council in column two hereunder—

(1)	(2)
The Ibadan (Provisional) District Council ... ..	13th March, 1956.

GIVEN at Ibadan this 21st day of January, 1957.

By His Excellency's Command,

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council, Western Region*

## W.R.L.N. 22 of 1957

*The Direct Taxation Ordinance (Cap. 54)*

DATE OF COMMENCEMENT : 13TH MARCH, 1956

Notice is hereby given that in exercise of the powers conferred upon the Governor by section 12 (3) of the Direct Taxation Ordinance (Cap. 54) the Governor, Western Region, has directed that the council named in column one hereunder shall, as from the date set out against it in column two hereunder, fix and apportion such amount of the total assessment of the community as may be just and equitable for each member of the community to pay having regard to his wealth—

(1)	(2)
The Ibadan (Provisional) District Council ... ..	13th March, 1956.

GIVEN at Ibadan this 21st day of January, 1957.

By His Excellency's Command,

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council, Western Region*

## W.R.L.N. 23 of 1957

*The Land Registration Ordinance (Cap. 108)*

## THE LAND REGISTRATION (FEES) REGULATIONS, 1956

DATE OF COMMENCEMENT : 31ST JANUARY, 1957

In exercise of the powers conferred upon the Governor in Council by section 26 of the Land Registration Ordinance the following Regulations are hereby made :—

- Short title. 1. These Regulations may be cited as the Land Registration (Fees) Regulations, 1956.
- Prescription of fees. 2. The fees prescribed in the Schedule to these regulations shall be taken by the officers by or before whom the acts for which the fees payable are done.
- Fees to be in substitution for fees in Schedule to Cap. 108. 3. The fees prescribed by these regulations shall be in substitution for the fees specified in the Second Schedule to the Land Registration Ordinance.

## SCHEDULE

## FEES

	£	s	d
1. Upon delivery of an instrument for registration—			
(a) within 60 days of the date of execution if executed in Nigeria or within 12 months of the date of execution if executed elsewhere ... ..	1	10	0
(b) after 60 days have elapsed since the date of execution if executed in Nigeria or after twelve months have elapsed since the date of execution if executed elsewhere ... ..	10	0	0
2. For every attestation of an instrument under section 8 (1)	0	5	0
3. For every search in the records, for every half-an-hour or part thereof ... ..	0	5	0
4. For a certified copy of any registered instrument (not including any plan thereon) for every 100 words ... ..	0	5	0
5. For a copy of every plan.....as determined by the registrar according to the amount of work involved but not less than.....	0	10	0
6. For comparing, if required, any instrument with the register thereof, for every 100 words ... ..	0	2	6

MADE by the Governor in Council at Ibadan this 3rd day of December, 1956.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 24 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF NDOSIMILI COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 31ST JANUARY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Ndosimili District Council) Order, 1957. Short title.
2. The Ndosimili District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following :— Composition of education committee.
  - (a) a chairman ;
  - (b) seven council members ; and
  - (c) six private members.

(2) (a) The Chairman and the seven council members shall be members of the local education authority and shall be appointed by it.

(b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.

(3) Of the private members—

  - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
  - (b) four shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies ;
  - (c) one shall be appointed to represent women's interests.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Ndosimili District Council.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Ndosimili District Council, occurring next after his appointment.
- (3) The seat of a private member of the education committee shall become vacant :—
  - (a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph 3 (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Ndosimili District Council.

MADE at Ibadan the 11th day of January, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 18th day of January, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 25 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF AJEROMI DISTRICT COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Ajeromi District Council) Order, 1957. Short title.
2. The Ajeromi District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
- 3 (1) The education committee of the local education authority appointed by this order shall be composed of the following—
  - (a) a chairman ;
  - (b) four council members ; and
  - (c) six private members.Composition of education committee.
  - (2) (a) The Chairman and the four council members shall be members of the local education authority and shall be appointed by it.
  - (b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
  - (3) Of the private members—
    - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
    - (b) four shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Ajeromi District Council.
  - (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Ajeromi District Council, occurring next after his appointment.
  - (3) The seat of a private member of the education committee shall become vacant :—
    - (a) upon his death ;
    - (b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

- (c) if he is sentenced to imprisonment for a term exceeding six months ;
- (d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;
- (e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;
- (f) if he resigns ;
- (g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Ajeromi District Council.

MADE at Ibadan the 24th day of January, 1957.

J. A. OLA ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 28th day of January, 1957.

A. O. ADEYI,  
*Minister of Local Government*

**W.R.L.N. 26 of 1957*****THE OFFICIAL OATHS ORDINANCE (Cap. 163)***

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred upon me by Part I of the Second Schedule to the Official Oaths Ordinance, I hereby appoint the following officers in addition to those appointed in W.R.L.N. 23 of 1956, to administer the official oaths required by section 3 of the said Ordinance to administrative officers :—

Divisional Advisers in charge of Divisions.

Senior Assistant Secretary, Governor's Office.

DATED at Ibadan this 31st day of January, 1957.

J. D. RANKINE,  
Governor

**W.R.L.N. 27 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE IKENNE LOCAL COUNCIL**

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Instrument establishing the Ikenne Local Council is hereby amended as follows :—

W.R.P.N.  
No. 73 of  
1953.

Add new paragraph :

"9 (a) *Eti-Obu I* : is bounded on the North West by Market Street ; on the East by Salu Street, Sode Lane, Sonu Street, Ogbodo Street ; on the South by all houses on both sides of Sonusi Lane, Akindoyin Street, Market Street.

*Eti-Obu II* : is bounded on the North-West by all houses on both sides of Agbaroko Street, Moruwafu Lane, Ita Osugbo Street ; on the East by Ita Osugbo-Sonu Street ; on the South-West by Sonu Street, Sode Lane, Salu Street".

MADE by the Regional Authority this 25th day of January, 1957.

D. A. MURPHY,  
Acting Secretary to the Premier  
and Executive Council

## W.R.L.N. 28 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

IYEKEORHIONWON DISTRICT COUNCIL  
MARKETS ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Iyekeorhionwon District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 195 of 1955, the Iyekeorhionwon District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 11th day of December, 1956, that the Markets Adoptive Bye-Laws, 1956 be adopted, with the following schedule substituted for the First Schedule thereof :—

## FIRST SCHEDULE

## STALLAGES

			<i>s</i>	<i>d</i>
In respect of each stall owned or maintained by the council.	} for each market day ; at	...	0	2
		} for one month ; at	...	1 6
In respect of any other stall (including a stall erected by the person selling).	} for each market day ; at	...	0	3
		} for one month ; at	...	2 0

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 1st February, 1957.

## W.R.L.N. 29 of 1957

*The Western Region Local Government Law, 1952*  
*(No. 1 of 1953)*

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
 THE ADO-IGBESSA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Instrument establishing the Ado-Igbessa District Council is hereby amended as follows :— W.R.P.N. 140 of 1953.

1. *Delete* paragraph 5 of the said Instrument and *substitute* therefor :

“5. The Council shall consist of forty-eight members, namely :

Twelve traditional members

Thirty-six elected members”.

2. *Delete* paragraph 6 of the said Instrument and *substitute* therefor :

“6. The quorum shall consist of twenty-four members”.

3. In paragraph 7 of the said Instrument :

(a) *delete* “two” and *substitute* therefor “twelve”, and

(b) *add* “Chief Bajomo of Ado

Chief Osolo of Ado

Chief Aro of Ado

Chief Ajiroba of Ado

Chief Seriki of Ado

Chief Balogun of Ado

Chief Ajana of Igbessa

Chief Elero of Igbessa

Chief Petu of Igbessa

Chief Aro of Igbessa”.

MADE by the Regional Authority this 21st day of January, 1957.

D. A. MURPHY,  
*Acting Secretary to the Premier  
 and Executive Council*

## W.R.L.N. 30 of 1957

*ORDER IN COUNCIL made under THE NATIVE COURTS  
ORDINANCE (Cap. 142)*

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred upon the Governor in Council by section 12 of the Native Courts Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment) Order in Council, 1957.

2. The Tenth Schedule to the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) Order in Council as amended by the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment) Order in Council, 1951, is hereby amended by the addition of the following :—

<i>Province</i>	<i>Native Court</i>	<i>Road Traffic Ordinance No. 43 of 1947</i>	<i>Restriction or limitation on exercise of jurisdiction</i>	<i>Effective date</i>
Benin ...	Asaba Town Court	The whole Ordinance	—	—
Ibadan ...	Ikirun Court	The whole Ordinance	—	—

MADE by the Governor in Council at Ibadan, this 21st day of January, 1957.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 31 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF POWERS

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred by section 33A of the Interpretation Ordinance, the following Notification is made :—

This Notice may be cited as the Delegation of Governor's Powers (Amendment) Notice, 1956.

2. Paragraph 3 of the Delegation of Governor's Powers Notice, 1955 (hereinafter called the principal Notice) shall be amended by inserting the following definition immediately after that of the "Minister of Agriculture and Natural Resources"—

Amendment  
of W.R.L.N.  
72 of 1956.

"Minister of Development" means the Regional Minister to whom responsibility for the matters included in the portfolio of Development is for the time being assigned in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954".

3. The principal Notice shall be further amended by inserting immediately after delegation 3 the following new delegation—

"3A

<i>Powers Conferred</i>	<i>Ordinance or Law</i>	<i>Holder of Office</i>
To direct place and conditions of detention.	The Children and Young Persons Ordinance (Cap. 31). Section 13.	Minister of Development.
To establish remand homes, make rules for the management, upkeep and inspection of such homes, or approve such establishment or such rules.	Section 15 (1) ...	Minister of Development.
All powers of the Governor ...	Section 17 ...	Minister of Development.
To establish institutions or declare schools or institutions to be approved.	Section 18 ...	Minister of Development.
All powers of the Governor ...	Section 19 ...	Minister of Development.
To vary corrective orders ...	Section 25 ...	Minister of Development."

4. The principal Notice shall be further amended by inserting immediately after delegation 15 the following new delegation—

<i>Powers Conferred</i>	<i>Ordinance or Law</i>	<i>Holder of Office</i>
To disallow mandates ...	Native Children (Custody and Reformation) Ordinance (Cap. 141). Section 4 (1).	Minister of Development.
To disallow or confirm mandates.	Section 5 (3) ...	Minister of Development.
To cause the name of some Government establishment or of an institution to be set out in the mandate.	Section 5 (4) ...	Minister of Development.

<i>Powers Conferred</i>	<i>Ordinance or Law</i>	<i>Holder of Office</i>
To direct the completion of the mandate.	Section 5 (5) ...	Minister of Development.
To give consent to removal of child from the place to which he has been sent under the mandate.	Section 6 (e) ...	Minister of Development.
To cancel, renew or substitute mandates.	Section 7 (1) and (2)	Minister of Development.
To direct place where child is to be set at liberty.	Section 8 (2) ...	Minister of Development.

5. Part II of the Second Schedule to the principal Notice shall be amended by inserting immediately after the item "The Native Authority Ordinance" the following new item—

"The Native Children (Custody and Reformation) Ordinance (Cap. 141)."

GIVEN at Ibadan this 25th day of January, 1957.

By His Excellency's Command,

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 32 of 1957

*ORDER made under THE FORESTRY ORDINANCE (Cap. 75)*IBADAN DISTRICT COUNCIL FOREST RESERVE  
(OKE AREMO FOREST) (AMENDMENT) ORDER, 1956

DATE OF COMMENCEMENT : 7TH FEBRUARY, 1957

In exercise of the powers conferred by section 26 of the Forestry Ordinance it is hereby ordered by the Ibadan District Council with the approval of the Minister of Agriculture and Natural Resources, as follows :—

1. This Order may be cited as the Ibadan District Council Forest Reserve (Oke Aremo Forest) (Amendment) Order, 1956.
2. Order No. 7 of 1935 is hereby amended by revoking the Schedule thereto and substituting the following schedules :

## FIRST SCHEDULE

All that piece of land containing nought decimal two three square miles or thereabouts situated in Ibadan District of Ibadan Division of Ibadan Province and bounded as follows :—

Starting from a point where the left bank of Elekunkun stream meets the left bank of the Ogunpa stream and marked by beacon No. IDC.A1 the approximate co-ordinates of which are 7° 24' N and 3° 54' E (Nigeria Survey 1/500,000, Sheet 9, 1949), by the left bank of the Elekunkun stream upstream in a general south-easterly direction for a distance of 1,684 feet to beacon No. IDC.A2 situated at the source of the Elekunkun stream, thence by a series of straight-cut lines the bearings and distances of which are as follows :—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Distance</i>	<i>To Beacon No.</i>
IDC A2	128 degrees 30 minutes	105 feet	IDC A3
IDC A3	99 degrees 30 minutes	66 feet	IDC A4
IDC A4	161 degrees	155 feet	IDC A5
IDC A5	206 degrees 30 minutes	79 feet	IDC A6

situated on the left hand side of the plantation service road proceeding from Ogunpa stream, thence by the left hand side of the plantation service road in a general south easterly direction for a distance of 905 feet to beacon No. IDC A7 ; thence by a series of straight cut lines the bearings and distances of which are as follows :—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Distance</i>	<i>To beacon No.</i>
IDC A7	110 degrees 30 minutes	300 feet	IDC A8
IDC A8	200 degrees	307 feet	IDC A9
IDC A9	179 degrees	250 feet	IDC A10
IDC A10	168 degrees 30 minutes	105 feet	IDC A11
IDC A11	181 degrees 30 minutes	115 feet	IDC A12
IDC A12	195 degrees 30 minutes	228 feet	IDC A13
IDC A13	186 degrees 30 minutes	273 feet	IDC A14
IDC A14	260 degrees	324 feet	IDC A15
IDC A15	265 degrees	331 feet	IDC A16
IDC A16	180 degrees	172 feet	IDC A17
IDC A17	181 degrees	99 feet	IDC A18
IDC A18	196 degrees	138 feet	IDC A19
IDC A19	176 degrees	202 feet	IDC A20
IDC A20	168 degrees	360 feet	IDC A21
IDC A21	178 degrees	133 feet	IDC A22
IDC A22	281 degrees 30 minutes	465 feet	IDC A23

situated on the right hand side of the motor road from Ibadan town to Bower Tower, thence continuing by a straight line on a bearing of 281 degrees 30 minutes across the motor road from Ibadan town to Bower Tower for a distance of 33 feet to Beacon No. IDC A23A situated on the left hand side of the motor road from Ibadan town to Bower Tower; thence continuing by a straight line cut on a bearing of 281 degrees 30 minutes for a distance of 188 feet to Beacon No. IDC A24; thence by a series of straight cut lines the bearings and distances of which are as follows:—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Distance</i>	<i>To Beacon No.</i>
IDC A24	326 degrees	51 feet	IDC A25
IDC A25	256 degrees	33 feet	IDC A26
IDC A26	287 degrees	514 feet	IDC A27
IDC A27	1 degree 30 minutes	551 feet	IDC A28
IDC A28	353 degrees 30 minutes	507 feet	IDC A29
IDC A29	358 degrees	559 feet	IDC A30
IDC A30	359 degrees	356 feet	IDC A31

situated on the right hand side of the service road from Ibadan town to the V.H.F. pylon, thence by a straight line on a bearing of 354 degrees across the service road for a distance of 66 feet to Beacon No. IDC A31A situated on the left hand side of the service road from Ibadan town to the V.H.F. pylon; thence continuing by a straight line cut on a bearing of 354 degrees for a distance of 292 feet to Beacon No. IDC A32; thence by a straight line cut on a bearing of 1 degree 30 minutes for a distance of 206 feet to Beacon No. PBN. 5395; thence by a straight line cut on a bearing of 1 degree for a distance of 66 feet to Beacon No. IDC A32A situated on the left hand side of the service road from Ibadan town to the V.H.F. pylon; thence continuing by a straight line cut on a bearing of 1 degree across the service road for a distance of 75 feet to Beacon No. IDC A32B situated on the right hand side of the service road from Ibadan town to the V.H.F. pylon; thence continuing by a straight line cut on a bearing of 1 degree for a distance of 59 feet to Beacon No. PBN. 5397; thence by a series of straight cut lines the bearings and distances of which are as follows:—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Distance</i>	<i>To Beacon No.</i>
PBN. 5397	359 degrees 30 minutes	484 feet	IDC A33
IDC A33	3 degrees	193 feet	IDC A34
IDC A34	358 degrees 30 minutes	260 feet	IDC A35
IDC A35	1 degree 30 minutes	573 feet	IDC A36
IDC A36	354 degrees 30 minutes	244 feet	IDC A37

situated on the left bank of the Ogunpa Street, thence by the left bank of the Ogunpa stream upstream in a general easterly direction for a distance of 357 feet to the starting point.

All beacons are concrete pillars.

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal. All bearings refer to True North and are adjusted from Magnetic bearings observed during the month of August, 1954.

## SECOND SCHEDULE

### RIGHTS OF WAY

*To the General Public:—*

1. The rights of access along the roads leading from Ibadan town to the Bower Memorial Tower.

2. The right of access along the service road from Ibadan town to the V.H.F. pylon with the approval of the Forest Department for the purpose of working the plantation.

*To the Posts and Telegraphs Department:—*

The right of access along the service road from Ibadan town to the V.H.F. pylon.

## RIGHT OF OCCUPANCY

*To the Nigerian Broadcasting Service :—*

The right of occupancy over an area of approximately 0.61 acre within the central part of the reserve and bounded as follows :—

Starting from a point at a distance of 163 feet on a bearing of 331 degrees from the Bower Tower and marked by Beacon No. IDC A38, situated on the northern side of the Bower Tower circular approach motor road ; thence by a series of straight cut lines the bearings and distances of which are as follows :—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Distance</i>	<i>To Beacon No.</i>
IDC A38	6 degrees 30 minutes	212 feet	IDC A39
IDC A39	87 degrees 30 minutes	118 feet	IDC A40
IDC A40	181 degrees 30 minutes	207 feet	IDC A41

situated on the northern side of the Bower Tower circular approach motor road ; thence by the northern side of the Bower Tower circular approach motor road in a general westerly direction for a distance of 147 feet to the starting point.

MADE this 3rd day of September, 1956.

I. B. AKINYELE,  
*for Ibadan District Council*

Witness to marks :—

V. OWOLABI ESAN,  
*Secretary, Ibadan (Provisional) District Council*

*Signified in accordance with the Ibadan District Council Standing Rules dated 13th day of March, 1956.*

APPROVED this 28th day of January, 1957.

G. AKIN. DEKO,  
*Minister of Agriculture and  
Natural Resources*



## W.R.L.N. 33 of 1957

*ORDER made under THE FORESTRY ORDINANCE*  
(Cap. 75)

OYO DIVISIONAL COUNCIL (OKE-IHO FUEL PLANTATION) FOREST  
RESERVE ORDER, 1956

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

WHEREAS the necessary steps have been taken in accordance with the provisions of section 23 of the Forestry Ordinance :

NOW THEREFORE in exercise of the powers conferred by section 22 of the said Ordinance, it is hereby ordered by the Oyo Divisional Council with the approval of the Minister of Agriculture and Natural Resources to whom power of approval has been delegated, as follows :—

1. This Order may be cited as the Oyo Divisional Council (Oke-Iho Fuel Plantation) Forest Reserve Order, 1956.
2. All that piece of land the situation and limits of which are set forth in the Schedule hereto shall constitute a Local Government Council Forest Reserve within the meaning of the Ordinance, which reserve shall be known as the Oyo Divisional Council (Oke-Iho Fuel Plantation) Forest Reserve.

SCHEDULE

All that piece of land containing nought decimal one three square miles or thereabouts, situated one mile east-north-east of Oke-Iho town on the road from Oke-Iho to Iseyin in the Oyo Division of Oyo Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are 3° 22' E. and 8° 02' N., (Nigeria Survey 1 : 500,000, Sheet 9 of 1953) situated on the left hand side of the 1954 motor road from Oke-Iho to Iseyin, at a distance of 1,015 feet in an east-north-easterly direction from the point where the 1954 motor road from Oke-Iho to Iseyin crosses the Oyalugbo stream and marked by Beacon No. O.N.A. 1, by a straight line crossing the 1954 motor road from Oke-Iho to Iseyin and proceeding by a straight line cut on a bearing of 136 degrees for a distance of 201 feet to Beacon No. O.N.A. 2 ; thence by a straight line cut on a bearing of 149 degrees for a distance of 665 feet to Beacon No. O.N.A. 3 ; thence by a straight line cut on a bearing of 223 degrees for a distance of 682 feet to Beacon No. O.N.A. 4 ; thence by a straight line cut on a bearing of 253 degrees for a distance of 1,288 feet to Beacon No. O.N.A. 5 ; thence by a straight line cut on a bearing of 310 degrees for a distance of 282 feet to Beacon No. O.N.A. 6 situated on the right bank of the Oyalugbo stream ; thence by the right bank of the Oyalugbo stream upstream in a general south-south-westerly direction for a distance of about 367 feet to Beacon No. O.N.A. 7 situated at the point where the left hand side of the 1954 path from Sangogbami's Farm to Oke-Iho crosses the right bank of the Oyalugbo stream ; thence crossing the Oyalugbo stream and proceeding by the left hand side of the 1954 path from Sangogbami's Farm to Oke-Iho in a general north-westerly direction for a distance of about 825 feet to Beacon No. O.N.A. 8 situated at the point where the left hand side of the 1954 path from Sangogbami's Farm to Oke-Iho meets the right hand side of the 1954 motor road from Oke-Iho to Iseyin ; thence by the right hand side of the 1954 motor road from Oke-Iho to Iseyin in an east-north-easterly direction for a distance of 500 feet to Beacon No. O.N.A. 9 situated on the right hand side of the 1954 motor road from Oke-Iho to Iseyin ; thence by a straight line crossing the 1954 motor road from Oke-Iho to Iseyin and proceeding by a straight line cut on a bearing of 314 degrees 30 minutes for a distance of 367 feet

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to Beacon No. O.N.A. 10 ; thence by a straight line cut on a bearing of 50 degrees 30 minutes for a distance of 1,111 feet to Beacon No. O.N.A. 11, thence by a straight line cut on a bearing of 311 degrees 30 minutes for a distance of 272 feet to Beacon No. O.N.A. 12 ; thence by a straight line cut on a bearing of 28 degrees 30 minutes for a distance of 998 feet to Beacon No. O.N.A. 13 ; thence by a straight line cut on a bearing of 136 degrees for a distance of 260 feet to Beacon No. O.N.A. 14 situated on the left bank of the Oyalugbo stream ; thence by a straight line crossing the Oyalugbo stream and continuing by a straight line cut on a bearing of 136 degrees for a distance of 1,100 feet to the starting point.

All bearings are referred to true North and are adjusted Magnetic bearings observed during the month of August, 1954.

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All beacons are numbered concrete pillars.

MADE this 28th day of December, 1956.

*Chairman*

*Secretary*

Witness to signatures :—

A. AMAO,  
*Clerk of Council*

*Signified in accordance with the Oyo Divisional Council Standing Rules dated the 27th day of October, 1955.*

APPROVED this 5th day of February, 1957.

G. AKIN DEKO,  
*Minister of Agriculture and Natural Resources*

## W.R.L.N. 34 of 1957

*ORDER made under THE FORESTRY ORDINANCE  
(Cap. 75)*

OGBOMOSHO DISTRICT COUNCIL (FUEL PLANTATION No. 1)  
FOREST RESERVE ORDER, 1957

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

WHEREAS the necessary steps have been taken in accordance with the provisions of section 23 of the Forestry Ordinance.

NOW THEREFORE in exercise of the powers conferred upon Local Government Councils by section 22 of the said Ordinance, it is hereby ordered by the District Council of Ogbomosho District of Oshun Division of Ibadan Province, with the approval of the Minister of Agriculture and Natural Resources to whom has been delegated the power of approval as follows :—

1. This Order may be cited as the Ogbomosho District Council (Fuel Plantation No. 1) Forest Reserve Order, 1957.
2. All that piece of land the situation and limits of which are set forth in the Schedule hereto shall constitute a Local Government Council Forest Reserve within the meaning of the Ordinance, which reserve shall be known as the Ogbomosho District Council Fuel Plantation No. 1 Forest Reserve.

SCHEDULE

All that piece of land containing nought decimal two six square miles or thereabouts situated on the outskirts of Ogbomosho Town in the Oshun Division of Ibadan Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are 4°15'E and 8°07'N (Nigeria Survey 1/500,000 Sheet 9 of 1953), situated on the left hand side of the Plantation service road from Ogbomosho Town to the Fuel Plantation, at a distance of about 870 feet in a general south-westerly direction from the junction of the Oshogbo, Ibadan, and Ogbomosho motor roads and marked by Beacon No. ONA 1, by a series of straight cut lines the bearings and lengths of which are as follows :—

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Length in feet</i>	<i>To Beacon No.</i>	<i>Passing through Beacon No.</i>
ONA 1	135° 00'	1,064	ONA 2	
ONA 2	195° 00'	670	ONA 3	
ONA 3	222° 30'	2,065	ONA 5	ONA 4
ONA 5	312° 30'	3,048	ONA 8	ONA 6, ONA 7.
ONA 8	41° 30'	1,380	ONA 9	
ONA 9	86° 00'	1,041	ONA 10	
ONA 10	64° 30'	237	ONA 11	
ONA 11	94° 30'	618	ONA 12	
ONA 12	135° 00'	396	the starting point.	

All bearings are referred to True North and have been adjusted from Magnetic bearings observed during the month of August 1954.

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All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All beacons are concrete pillars.

MADE this 29th day of November, 1956.

*Ogbomosho District Council*

M. B. A. ADEUJA,  
*Secretary, Ogbomosho District Council*

Witness to marks :—

S. A. IGE,  
*Chairman*

*Signed in accordance with the Ogbomosho District Council Standing Orders, 1955, dated the 9th day of July, 1955.*

APPROVED this 6th day of February, 1957.

G. AKIN DEKO,  
*Minister of Agriculture and Natural Resources*

## W.R.L.N. 35 of 1957

*The Education Law, 1954 ( No. 6 of 1955)*

## THE SCHOOLS AND INSTITUTIONS (BUILDING AND ACCOMMODATION) REGULATIONS, 1957

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

In exercise of the powers conferred by sub-paragraph (c) of paragraph (1) of section 51 and by sub-paragraph (b) of paragraph (1) of section 59 of the Education Law, 1954, the following Regulations are hereby made by the Minister of Education after consultation with the Regional Advisory Board of Education :—

1. These Regulations may be cited as the Schools and Institutions (Building and Accommodation) Regulations, 1957. Short title.

2. (1) In these regulations—

“the Law” means the Education Law, 1954. Interpretation.

(2) Other expressions, to which meanings are assigned by the Law, shall have the same meanings for the purpose of these regulations.

3. (a) In every primary school the minimum accommodation in respect of each pupil accommodated in any classroom therein shall not be less than one hundred cubic feet of internal space and 10 square feet of floor space, inclusive of teaching space. Primary Schools.

(b) In respect of each pupil there shall be provided desk or table space not less than 18 inches long by 15 inches wide. Together with seating accommodation not less than 9 inches wide and incorporating a back rest.

(c) Latrine accommodation shall be provided of either bucket, pit or flush pattern in accordance with the following scale—

One bucket, pit or flush latrine per sixteen boys (or less) and one per sixteen girls (or less). Separate accommodation shall be provided for male and female staff.

(d) It shall be the duty of every Headmaster to draw up rules for the evacuation of school buildings in the event of fire or other emergency to ensure first the safety of the pupils and second the safety of school records and property. This drill shall be practised not less than twice each term and an appropriate entry made in the school log book.

4. (a) In every Secondary Modern School the minimum accommodation in respect of each pupil accommodated in any classroom therein shall be not less than 126 cubic feet of internal space and 14 square feet of floor space inclusive of teaching space. Secondary Modern Schools.

(b) In respect of each pupil there shall be provided desk space not less than 18 inches long by 15 inches wide. Together with seating accommodation not less than 9 inches wide and incorporating a back rest. All desks shall be of single or dual pattern.

(c) Latrine accommodation shall be provided of either bucket, pit or flush pattern in accordance with the following scale—

One bucket, pit or flush latrine per sixteen boys (or less) and one per sixteen girls (or less). Separate accommodation shall be provided for male and female staff.

(d) It shall be the duty of every Headmaster to draw up rules for the evacuation of school buildings in the event of fire or other emergency to ensure first the safety of the pupils and second the safety of school records and property.

MADE at Ibadan the 6th day of February, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

W.R.L.N. 36 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

REGISTRATION OF BIRTHS AND DEATHS ADOPTIVE  
BYE-LAWS ORDER, 1956—IJEBU WATERSIDE DISTRICT  
COUNCIL

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ijebu Waterside District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice No. 17 of 1955, the Ijebu Waterside District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 24th day of November, 1956, that the Registration of Births and Deaths Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 15  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 2nd February, 1957.

## W.R.L.N. 37 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957  
IRRUA-EWU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irrua-Ewu District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice No. 211 of 1955, the Irrua-Ewu District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 29th day of December, 1956, that the Markets Adoptive Bye-Laws, 1957, be adopted with the following substituted for the First Schedule and deleting the Second Schedule thereof :

## FIRST SCHEDULE

## STALLAGES

		£	s	d
In respect of each stall owned or maintained by the council.	for each market day ; at	...	0	0 2
	for one month ; at	...	0	2 6
	for one year ; at	...	1	5 0
In respect of any other stall (including a stall erected by the person selling or trading).	for each market day ; at	...	0	0 1
	for one month ; at	...	0	1 0
	for one year ; at	...	0	10 0

W.R.L.N. 10  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 6th February, 1957.

W.R.L.N. 38 of 1957

*ORDER made under THE VACCINATION ORDINANCE  
(Cap. 224)*

In accordance with powers vested in the Governor, Western Region, under section 3 (2) of the Vaccination Ordinance (Cap. 224) which powers have been delegated to Provincial Advisers, I do hereby appoint the following to be Public Vaccinators in the Oyo Division :—

Rev. H. Longley	...	...	...	Methodist Mission, Oyo
Mr A. Davies	...	...	...	St. Andrews College, Oyo
Mrs A. B. Ingledow	...	...	...	c/o District Office, Oyo
Mrs H. L. Kinman	...	...	...	c/o General Hospital, Oyo
Mrs C. Humphries	...	...	...	Baptist Mission, Oyo
Mr Ford	...	...	...	Baptist Mission, Oyo
Mr W. Duvall	...	...	...	Baptist Mission, Oyo
Mr D. Merritt	...	...	...	Baptist Mission, Oyo
Miss L. Dodson	...	...	...	Baptist Mission, Oyo
Miss V. Long	...	...	...	Baptist Mission, Oyo

MADE at Oyo this 4th day of February, 1957.

J. R. V. A. BROMAGE,  
*Provincial Adviser, Oyo Province*



## W.R.L.N. 39 of 1957

*The Explosives Ordinance (Cap. 69)*THE WESTERN REGION EXPLOSIVES (AMENDMENT)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 1ST MARCH, 1957

In exercise of powers conferred on the Governor in Council by section 3 of the Explosives Ordinance, the following Regulations are hereby made :

1. These Regulations may be cited as the Western Region Explosives (Amendment) Regulations, 1957, and shall come into operation on the 1st day of March, 1957. Citation and commencement.

2. The Explosive Regulations (hereinafter called the "principal regulations") are hereby amended by the insertion, between regulations 33B and 34 thereof of the following new regulation :—

"Storage of explosives in trailer-mounted magazine.

33c. (1) Except in accordance with a licence as provided by paragraph (3), no person shall store explosives in a trailer-mounted magazine.

Insertion of new regulation 33c in principal regulations (Vol. VIII, page 54).

(2) Application for a licence to use a trailer-mounted magazine for the storage of explosives shall be made to a licensing officer and shall be accompanied by—

(a) a description, plan and specifications, in triplicate, of the magazine ; and

(b) such other information as the licensing officer may require.

(3) (a) The licensing officer may issue a licence to use a trailer-mounted magazine for the storage of explosives.

(b) The licence shall be as in Form 8 in the First Schedule.

(c) The number of the licence issued shall be painted in bold figures (not less than twelve inches high) on both sides of the trailer-mounted magazine.

(4) (a) Unless the prior approval of the Provincial Adviser of the province or such other officer as is for the time being in administrative charge of the area of the proposed site has been obtained in writing, no trailer-mounted magazine, which has explosives stored within it, may rest at any site.

(b) In the event of mechanical breakdown, accident or other circumstances which are likely to necessitate a trailer-mounted magazine being stationary for more than twelve hours at other than an approved site, the licensee shall notify the Provincial Adviser or such other officer as is for the time being in administrative charge of the area, of the occurrence.

(5) The licensee shall send to the licensing officer and to the nearest officer of the Mines Department :—

(a) details of the site approval in accordance with paragraph (4) ; and

(b) notification of every change of situation of the trailer-mounted magazine.

(Second Schedule).

(6) A licensee commits an offence within the meaning of regulation 65 of the principal regulations if he fails to ensure that the trailer-mounted magazine is situated in accordance with the distances mentioned in the Second Schedule to the principal regulations.

(7) (a) When at rest, every trailer-mounted magazine, which has explosives stored within it, shall be fitted with an efficient lightning conductor, which conductor shall be—

(i) supported on a vertical post approximately four feet from the nearest part of the magazine ;

(ii) of a height of at least six feet above the highest part of the magazine ; and

(iii) connected by soldering or welding to a properly laid earth-plate situated about twelve feet from the nearest part of the magazine.

(b) When the roof of the magazine is of metal, sheets thereof shall be connected to a separate earth-plate.

(8) Regulations 27, 28, 29, 34 (4) and 35 of the principal regulations shall not apply to trailer-mounted magazines.

Insertion of new Form 8 in First Schedule to principal regulations (Vol. VIII, page 80).

3. The principal regulations are hereby further amended by the insertion in the First Schedule thereto after Form 7, of the following new form :—

FORM 8

TRAILER-MOUNTED EXPLOSIVES MAGAZINE LICENCE

Province..... Licence Number.....

Licence is hereby granted to..... in..... Province to use a trailer-mounted magazine such magazine being in accordance with the description and plan attached hereto, for the storage of..... not exceeding a maximum of.....

This licence is issued subject to the provisions of the Explosives Ordinance and any Regulations made thereunder.  
Fee paid.....

Date..... Licensing Officer.....

Amendment to Third Schedule to principal regulations (Vol. VIII, page 81).

4. The principal regulations are hereby further amended by the insertion in the Third Schedule thereto between :—

	£	s	d
“For an explosives magazine licence or replacement thereof ... ..	1	0	0
“For a licence to manufacture explosives or replacement thereof ... ..	5	0	0
of the following—			
“For a trailer-mounted explosives magazine licence or replacement thereof ... ..	1	0	0

MADE by the Governor in Council at Ibadan this 25th day of January, 1957.

D. A. MURPHY,  
Acting Secretary to the Premier and Executive Council

**W.R.L.N. 40 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE REGISTRATION OF BIRTHS AND DEATHS ADOPTIVE  
BYE-LAWS ORDER, 1956  
OWO DIVISIONAL COUNCIL

DATE OF COMMENCEMENT : 21ST FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Owo Divisional Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 121 of 1955, the Owo Divisional Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 22nd day of October, 1956, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 15  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 14th January, 1957.

**W.R.L.N. 41 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

NORTH EAST ISHAN DISTRICT COUNCIL : CONTROL OF  
PIGS ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 21ST FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the North East Ishan District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 214 of 1955, the North East Ishan District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of November, 1956, that the Control of Pigs Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 12  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 14th February, 1957.

**W.R.L.N. 42 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE ISHARA LOCAL COUNCIL**

**DATE OF COMMENCEMENT : 21ST FEBRUARY, 1957**

W.R.P.N.  
No. 76 of  
1953.

In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Instrument establishing the Ishara Local Council is hereby amended as follows :—

- (i) In paragraph 4 of the said Instrument, *delete*—  
“The President of the Council shall be the Odemo of Ishara, and”
- (ii) *Delete* paragraph 5 of the said Instrument and *substitute* therefor :  
“5. The Council shall consist of twenty-four members, namely :  
Four traditional members.  
Twenty elected members.”
- (iii) *Delete* paragraph 7 of the said Instrument and *substitute* therefor :  
“6. The four traditional members shall be :  
The Odemo of Ishara ;  
The Oliwo ;  
The Olisa ; and  
The Apena.”

Made by the Regional Authority this 11th day of February, 1957.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 43 of 1957***The Western Region Local Government Law, 1952  
(No. 1 of 1953)*THE REGISTRATION OF BIRTHS  
AND DEATHS ADOPTIVE BYE-LAWS ORDER, 1956  
IKORODU DIVISIONAL COUNCIL

DATE OF COMMENCEMENT : 21ST FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikorodu Divisional Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 198 of 1955, the Ikorodu Divisional Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 30th day of November, 1956, that the Registration of Births and Deaths Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 13th February, 1957.

**W.R.L.N. 44 of 1957***Parliamentary and Local Government Electoral  
Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 31ST JANUARY, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Urhobo West	... Mr S. O. Adeola	... Sapele Urban District Council Area.

2. The appointment of Mr J. O. Phillips as Electoral Officer, Sapele Urban District Council Area notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner,  
Western Region*

Ibadan, 15th February, 1957.

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF POWERS

DATE OF COMMENCEMENT : 21ST FEBRUARY, 1957

In exercise of the powers conferred by section 33A of the Interpretation Ordinance, the following Notice is hereby issued :—

1. This Notice may be cited as the Delegation of Governor's Powers (Amendment) Notice, 1957.

2. Paragraph 3 of the Delegation of Governor's Powers Notice, 1955, shall be amended by the insertion immediately before the definition of "Minister of Home Affairs" of the following new definition :

"Minister of Health" means the Regional Minister to whom responsibility for the matters included in the portfolio of Health is for the time being assigned in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954 ;"

3. The First Schedule of the Delegation of Governor's Powers Notice, 1955, shall be amended by the addition after Delegation 7 of a new Delegation as follows :

"7A. The power to      Dogs Ordinance (Cap. 56)      Minister of Health."  
approve orders.      section II.

GIVEN at Ibadan this 21st day of January, 1957.

By His Excellency's Command,

D. A. MURPHY,  
*Acting Secretary to the Premier and Executive Council*

## W.R.L.N. 46 of 1957

**RULES made under THE DOGS ORDINANCE**  
(Cap. 56)

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

In exercise of the powers conferred upon the Shaki District Council by section 15 of the Dogs Ordinance, 1942, and with the approval of the Provincial Adviser, Oyo Province, the following Rules are hereby made :—

1. These Rules may be cited as the Shaki District Council (Rabies) Rules, 1956.
2. These rules shall apply to the area comprised within a circle having a radius of three miles with the Shaki Town Hall as centre.
3. The owner or other person in charge of a dog shall not permit the dog to be in any road, market or public place unless the dog is led on a leash, and a dog not so leashed shall be deemed not under control.
4. A dog found in any way, road, market or public place and not under control may be seized and destroyed.
5. The Authority may recover from the owner of a dog seized or destroyed under the preceding paragraph any expenses incurred by the Authority in seizing or destroying the dog.

MADE this 29th day of January, 1957.

SANI GBGBOADE,  
*Chairman, Shaki District Council*

D. O. SOSAN,  
*Acting Secretary/Treasurer,*  
*Shaki District Council*

APPROVED this 14th day of February, 1957

J. R. V. A. BROMAGE,  
*Provincia Adviser,*  
*Oyo Province*

**W.R.L.N. 47 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957 : EGUN-AWORI  
DISTRICT COUNCIL

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 129 of 1955, the Egun-Awori District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 4th day of December, 1956, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th February, 1957.

**W.R.L.N. 48 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

IWO DISTRICT COUNCIL (REGISTRATION OF  
MARRIAGES) ADOPTIVE BYE-LAWS

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Iwo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Regional Public Notice No. 156 of 1953, the Iwo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 2nd day of February, 1957, that the Registration of Marriages Adoptive Bye-laws, 1957 be adopted.

W.R.L.N.  
4 of 1957.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th February, 1957.

**W.R.L.N. 49 of 1957***The Western Region Local Government Law, 1952  
(No. 1 of 1953)*THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1956  
IJBEBU REMO DIVISIONAL COUNCIL

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ijebu Remo Divisional Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Regional Public Notice No. 72 of 1953, the Ijebu-Remo Divisional Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 5th day of January, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 15  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 19th February, 1957.

**W.R.L.N. 50 of 1957***The Western Region Local Government Law, 1952  
(No. 1 of 1953)*THE VEHICLE LICENSING ADOPTIVE BYE-LAWS  
ORDER, 1956  
EDE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ede District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Regional Public Notice No. 145 of 1953, the Ede District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 2nd day of February, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 11  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 19th February, 1957.

**W.R.L.N. 51 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**AJEROMI DISTRICT COUNCIL : CONTROL OF DRUMMING  
ADOPTIVE BYE-LAWS, 1956**

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ajeromi District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 131 of 1955, the Ajeromi District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 7th day of November, 1956, that the Control of Drumming Adoptive Bye-Laws, 1956 be adopted with the following schedules substituted for the First and Third Schedules thereof :—

W.R.L.N. 13  
of 1956.

**FIRST SCHEDULE**

Sakara	Apala
Iya Ilu or Dundu	Juju or Mambo
Ajagidigbo	Kele or Agasa
Batakoto	Tribal Drums

**THIRD SCHEDULE**

<i>Description of Drum</i>	<i>Period</i>	<i>Fees</i>	
		<i>s</i>	<i>d</i>
Any kind ...	For any period between 6 a.m. and 6 p.m....	3	0
Any kind ...	For any period between 6 p.m. to 6 a.m. ...	6	0

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 19th February, 1957.

## W.R.L.N. 52 of 1957

*The Western Region Local Government Law, 1952*  
*(No. 1 of 1953)*

EGUN-AWORI DISTRICT COUNCIL : CONTROL OF DRUMMING  
 ADOPTIVE BYE-LAWS

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon Egun-Awori District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 129 of 1955, the Egun-Awori District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 4th day of December, 1956 that the Control of Drumming Adoptive Bye-Laws, 1956 be adopted with the following schedules substituted for the First and Third Schedules thereof :—

W.R.L.N. 13  
 of 1956.

## FIRST SCHEDULE

All types of Drums

## THIRD SCHEDULE

<i>Description of Drum</i>	<i>Period</i>	<i>Fees</i>	
		<i>s</i>	<i>d</i>
All types of Drums...	6 a.m. to 6 p.m.	2	6
All types of Drums...	6 p.m. to 6 a.m.	5	0

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 19th February, 1957.

**W.R.L.N. 53 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1957

EGUN-AWORI DISTRICT COUNCIL

DATE OF COMMENCEMENT : 28TH FEBRUARY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 129 of 1955, the Egun-Awori District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 4th day of December, 1956, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
11 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 18th February, 1957.

## W.R.L.N. 54 of 1957

*The Survey Ordinance, 1952*  
(No. 29 of 1952)

## THE SURVEY (FEES) REGULATIONS, 1957

DATE OF COMMENCEMENT : 7TH MARCH, 1957

In exercise of the powers conferred upon him by section 38 of the Survey Ordinance, 1952, the Governor after consultation with the Executive Council has been pleased to make the following Regulations :—

## PART I.—INTRODUCTORY

1. These Regulations may be cited as the Survey (Fees) Regulations, 1957, and shall come into force on the 7th day of March, 1957.

Short title and commencement.

2. In these Regulations—

Interpretation.

“beacon” means a permanent mark of any kind made of concrete, iron or stone, and includes a pillar or boundary post of such material ;

“demarcation” means the marking of lines by beacons or blazed trees ;

“Director” means the Director of Surveys of the Region ;

“the Minister” means the Regional Minister charged with responsibility for survey of lands ;

“the Region” means the Western Region.

## PART II.—SURVEY FEES

3. The fees for surveys or parcels of land undertaken by the Survey Department of the Region shall be in accordance with the provisions of the First Schedule to these regulations.

Fees for survey of parcels of land. First Schedule.

4. The fees for services rendered by the Survey Department of the Region other than those referred to in regulation 3 shall be in accordance with the provisions of the Second Schedule to these regulations.

Fees for other survey services. Second Schedule.

5. In any case where fees are specified in the First or Second Schedule to these regulations as being chargeable at rates other than time-rates the Director or any officer of the Survey Department of the Region authorised by him may, if he thinks it desirable to do so, substitute time-rates for such other rates.

Alteration of rates of charges.

6. (1) Traverse fees for the survey of a common boundary between contiguous plots of land shall be paid in full by each of the owners or occupiers of such plots.

Layout surveys.

(2) The Director may waive a separate preliminary fee for each plot of land where two or more such plots are included in a single layout survey, but a single preliminary fee only shall be charged for an entire survey undertaken at the instance of a single owner or occupier.

7. Any question which may arise as to the appropriate fee payable in accordance with paragraph one of the First Schedule shall be determined by the Director whose decision shall be final.

Director to determine preliminary fees.

Power to waive or reduce fees in particular cases.

Revocation of Part II of Regulations 44 of 1953.

8. The Minister may, when it appears to him to be in the public interest to do so, waive or reduce the survey fees payable in a particular case.

9. Part II of the Survey (Fees and Surveyors Qualifications) Regulations, 1953, is hereby revoked.

### FIRST SCHEDULE

#### REGULATION 3

Fees chargeable by Survey Department for surveys of parcels of Land—

##### 1. Preliminary Fees :

	£	s	d
Town Surveys ... ..	6	10	0
Country Surveys ... ..	10	10	0
Mining Surveys ... ..	10	10	0
Renewals and Re-issues including Part-surrenders and Part-renewals ... ..	6	10	0

##### 2. Beacon Fees :

Standing Property Beacons and Mining Beacons, each	1	0	0
Cemetery Beacons and other Beacons each ... ..	0	10	0

If all materials are supplied by the applicant, the charge shall be 12s 6d and 7s 6d each respectively.

If a beacon is established in accordance with computed data the above rates shall be increased by 50 per cent.

3. Traverse Fees shall be at the following rates per 100 feet. Theodolite traverses :—

	Level Country			Broken or Swampy Country			Rugged Country		
	£	s	d	£	s	d	£	s	d
Open, or lines properly cleared by applicant ... ..	0	3	9	0	4	6	0	5	3
Thick grass, orchard bush, light forest or built-up areas ...	0	5	3	0	6	3	0	7	3
Medium forest ... ..	0	7	6	0	9	0	0	10	6
Heavy forest or dense secondary growth ... ..	0	10	6	0	12	6	0	14	6
Heavy forest with dense secondary growth or mangrove swamp ... ..	0	15	0	0	18	9	1	2	6
Minimum fee : £3 15s 0d									

4. Astronomical Determination Fees shall be charged at time rates.

5. Trigonometrical connection Fees shall be charged at time rates.

6. Survey Party Fees : The cost—

(a) of the transport of the survey party and stores to and from the survey ; and

(b) the salaries, wages and allowances of the party for the time necessarily spent in travelling, shall be paid by the applicant.

Delays to the survey party caused by default of the applicant shall be paid for by him at time rates.

7. Deed Plan Fees :

For deed plans not exceeding 13"×8" a standard charge of £2 5s 0d shall be made. For plans exceeding the above size, charges shall be in accordance with the rates prescribed in paragraph 3 of the Second Schedule.

8. Time Rates shall be at the rate of £1 10s 0d per hour.

SECOND SCHEDULE

REGULATION 4

Fees chargeable by Survey Department for other survey services.

1. Office Checking Fees :

For checking the field books, computations and plan of every mining survey there shall be charged a checking fee of £4 15s 0d plus 10 per cent of the traverse charges for open level country plus 10s 6d for each astronomical determination.

The checking of Licensed Surveyors' field books, computations and plans shall be charged at time rates.

2. Tape Standardisation Fees :

£2 2s 0d shall be charged for the first 100 feet and 10s 6d for each additional 100 feet or less. The cost of return postage shall be added to the above charges.

3. Drawings and Tracings Fees other than those specified in paragraph 7 of the First Schedule shall be charged as follows :—

(a) Finished Drawings ; Time Rates : Minimum Fee, £4 10s

(b) Tracings of single plots ; £2 2s per square foot. Minimum fee, £1 10s.

(c) Other Tracings ; Time Rates : Minimum fee, £1 10s.

(d) Lithoprints and Sunprints ; 1s per square foot : Minimum charge 3s.

4. Certification Fees in respect of true copies of diagrams and plans—

	£	s	d
(a) Area up to 10 acres ... ..	0	7	6
(b) Over 10 acres ... ..	0	10	6
(c) Over 100 acres ... ..	0	15	0

5. Public Inspection Fees in respect of plans and prints deposited in the Survey Department. For each inspection period or search of half an hour or less, 4s 6d.

6. All survey services other than those specified above shall be charged at time rates.

7. Time Rates shall be at the rate of £1 10s per hour.

MADE at Ibadan this 25th day of February, 1957.

By His Excellency's Command,

D. A. MURPHY,  
Acting Secretary to the Premier  
and Executive Council



## W.R.L.N. 55 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE CONTROL OF MOTOR PARKS  
ADOPTIVE BYE-LAWS ORDER, 1957

DATE OF COMMENCEMENT : 7TH MARCH, 1957

In exercise of the powers conferred by section 78A of the Western Region Local Government Law, 1952, upon the Minister to whom the responsibility for local government is assigned, the following Order is hereby made :—

1. This Order may be cited as the Control of Motor Parks Adoptive Short title.  
Bye-laws Order, 1957.

2. (1) The Adoptive Bye-Laws contained in the Schedule to this Order Making and  
are hereby made. adoption of  
scheduled  
bye-laws.

(2) The said bye-laws may be adopted in accordance with the provisions of section 78A of the Western Region Local Government Law, 1952, as a whole, but not in parts, by a local government council to whose functions they relate.

SCHEDULE

1. These Bye-laws may be cited as the Control of Motor Parks Adoptive Short title.  
Bye-Laws, 1957.

2. In these bye-laws—

“attendant” means an attendant appointed in accordance with Interpretation.  
bye-law 5 ;

“the council” means the council which has adopted these bye-laws ;

“motor parks” means such places as shall be declared to be motor parks in accordance with bye-law 3 ;

“motor vehicle” means any mechanically propelled vehicle intended or adapted for use on roads, and includes a public transport vehicle ;

“public transport vehicle” means any mechanically propelled vehicle intended or adapted for the carriage of passengers and goods for reward.

3. The council may by resolution declare any place to be a motor park. Motor parks.

4. Any person in charge of a motor vehicle which— Fees.

(a) for the purposes of picking up or setting down passengers or goods, halts in a motor park ; or

(b) waits in a motor park,

shall pay to the attendant the appropriate fee set out in the schedule to these bye-laws.

5. A motor park shall be under the control and direction of such Traffic  
attendant or attendants as may be appointed by the council who shall control control in  
and direct all traffic within the motor park, motor parks.

**Penalties.**

6. Any person who—

(1) shall neglect or refuse to comply with the provisions of bye-law 4 ; or  
 (2) shall neglect or refuse to comply with directions given under bye-law 5 ; or

(3) shall use a motor park or any part thereof for the purpose of selling or carrying on any trade without the written consent of the council ; or

(4) shall erect any stall, shed, wall, booth, fence, enclosure or any other erection or building in a motor park without the written consent of the council ; or

(5) shall loiter or tout for passengers in an offensive manner in or about a motor park ; or

(6) shall commit any nuisance in a motor park,  
 shall be guilty of an offence and liable on conviction to a fine not exceeding two pounds, or in default of payment, to imprisonment not exceeding fourteen days.

**Variation of fees.**

7. The fees set out in the schedule to these bye-laws may be varied by resolution of the council.

**Resolution to be published.**

8. A copy of every resolution made under bye-law 3 or 7 shall be published in the manner provided by the Law and shall, so long as it has effect, be available for inspection by members of the public during normal official hours.

**SCHEDULE**

**BYE-LAW**

<i>Type of Vehicle</i>						<i>per day</i>
						<i>s d</i>
Motor vehicle	...	...	...	...	...	0 6
Public transport vehicle	...	...	...	...	...	2 0

MADE this 11th day of February, 1957.

**F. R. A. WILLIAMS,**  
*Minister of Justice and*  
*Local Government*

W.R.L.N. 56 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

EGUN-AWORI DISTRICT COUNCIL : MARKET  
ADOPTIVE BYE-LAWS

DATE OF COMMENCEMENT : 7TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 129 of 1955, the Egun-Awori District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 4th day of December, 1956, that the Market Adoptive Bye-laws, 1956 be adopted with the following schedules substituted for the First and Second Schedules thereof :—

W.R.L.N.  
10 of 1956.

## FIRST SCHEDULE

The following fees shall be paid in advance to the Market Master on behalf of the District Council by all person selling or exposing for sale, food or merchandise or carrying on their trade or calling in the market :—

(a) For District Council maintained small stall having an area not exceeding 48 square feet—				
Monthly	...	...	...	£ 0 3 0
Yearly	...	...	...	1 13 0
(b) For District Council maintained large stalls having an area not exceeding 80 square feet—				
Monthly	...	...	...	0 4 0
Yearly	...	...	...	2 4 0
(c) For District Council maintained Stores having an area not exceeding 96 square feet—				
Monthly	...	...	...	0 6 0
Yearly	...	...	...	3 6 0
(d) For District Council maintained Produce Stores having an area exceeding 96 square feet—				
Monthly	...	...	...	0 10 0
Yearly	...	...	...	5 10 0
(e) For District Council maintained large Produce Stores having an area not exceeding 320 square feet—				
Monthly	...	...	...	1 0 0
Yearly	...	...	...	11 0 0
(f) For District Council maintained Butcher Stall—				
Monthly	...	...	...	0 5 0
Yearly	...	...	...	2 15 0
(g) For squatting in a vacant place set aside for casual traders—				
Every Market Day	...	...	...	0 0 3
(h) For Hawking—				
Every Market Day	...	...	...	0 0 1

A receipt shall be issued by the Market Master for fees paid to him.

SECOND SCHEDULE

TOLLS

For parking a motor vehicle in the market for } For each motor vehicle  
the purpose of settling down or picking up } so parked on each mar-  
food or merchandise. } ket day—2s.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 21st February, 1957.

**W.R.L.N. 57 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE MARKETS ADOPTIVE BYE-LAWS ORDER  
ILISHAN LOCAL COUNCIL

DATE OF COMMENCEMENT : 7TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ilishan Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 75 of 1953, the Ilishan Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of January, 1957, that the Markets Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
10 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 23rd February, 1957.

**W.R.L.N. 58 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1956  
IJEBU WATERSIDE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 7TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ijebu Waterside District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 17 of 1955, the Ijebu Waterside District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 26th day of January, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
11 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 23rd February, 1957,

**W.R.L.N. 59 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS ORDER  
ILISHAN LOCAL COUNCIL

DATE OF COMMENCEMENT : 7TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ilishan Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 75 of 1953, the Ilishan Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of January, 1957, that the Control of Drumming Adoptive Bye-laws, 1956, be adopted

W.R.L.N.  
13 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 25th February, 1957.

**W.R.L.N. 60 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

INSTRUMENT AMENDING THE INSTRUMENT  
ESTABLISHING THE ILELABO LOCAL COUNCIL

DATE OF COMMENCEMENT : 7TH MARCH, 1957

W.R.L.N. 156 of 1954. In exercise of the powers conferred upon the Regional Authority by section 7 (1) of the Western Region Local Government Law, 1952, the Instrument establishing the Ilelabo Local Council is hereby amended as follows :—

In paragraph 7 of the said Instrument *delete* Chief Bale of Ikpesi, Chief Ojomu of Ikpesi and Chief Lemamu of Shosan and *substitute* therefor Chief Olodeagada of Ikpesi, Chief Oluetota of Ikpesi and Chief Elisa of Shosan.

MADE by the Regional Authority this 25th day of February, 1957.

D. A. MURPHY,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 61 of 1957**

***ORDER made under THE DOGS ORDINANCE  
(Cap. 56)***

DATE OF COMMENCEMENT : 7TH MARCH, 1957

In exercise of the powers conferred upon the Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to Provincial Advisers in charge of Provinces, the following Order is hereby made :—

1. This Order may be cited as the Rabies Oyo Town Declaration and Prohibition Order, 1957.

2. The area in the Oyo District of the Oyo Division in Oyo Province comprised within a circle having a radius of 5 miles with the Atiba Hall, Oyo, as centre, is hereby declared to be a diseased area.

3. The removal of dogs to or from this area is hereby prohibited.

4. The Authority for the area declared by this order to be a diseased area is hereby directed to make rules for all the matters referred to in section 15 of Dogs Ordinance.

MADE at Oyo this 19th day of February, 1957.

**J. R. V. A. BROMAGE,**  
*Provincial Adviser, Oyo Province*



## W.R.L.N. 62 of 1957

*The Education Law, 1954 (No. 6 of 1955)*

THE LOCAL EDUCATION AUTHORITY  
(APPOINTMENT OF SAPELE URBAN DISTRICT COUNCIL)  
ORDER, 1957

DATE OF COMMENCEMENT : 14TH MARCH, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made:—

1. This Order may be cited as the Local Education Authority (Appointment of Sapele Urban District Council) Order, 1957. Short title.

2. The Sapele Urban District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.

3. (1) The education committee of the local education authority appointed by this order shall be composed of the following— Composition of Education committee.

- (a) a chairman ;
- (b) six council members ; and
- (c) eleven private members.

(2) (a) The Chairman and the six council members shall be members of the local education authority and shall be appointed by it.

(b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.

(3) Of the private members—

(a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;

(b) nine shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies.

(c) one shall be appointed to represent women's interests.

4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Sapele Urban District Council. Tenure of office of members of the committee.

(2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Sapele Urban District Council, occurring next after his appointment.

(3) The seat of a private member of the education committee shall become vacant—

- (a) upon his death ;
  - (b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;
  - (c) if he is sentenced to imprisonment for a term exceeding six months ;
  - (d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;
  - (e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;
  - (f) if he resigns ;
  - (g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.
- (4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;
- (b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Sapele Urban District Council.

MADE at Ibadan the 13th day of February, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 26th day of February, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 63 of 1957

*The Pensions Ordinance, 1951*  
(Ordinance 29 of 1951)

THE PENSIONS (WESTERN REGION) (AMENDMENT)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 1ST OCTOBER, 1954

In exercise of the powers conferred by section 3 of the Pensions Ordinance, 1951, the Governor, with the sanction of the Secretary of State, has been pleased to make the following Regulations :—

1. (1) These Regulations may be cited as the Pensions (Western Region) (Amendment) Regulations, 1957, and shall be deemed to have come into force on the first day of October, 1954. Short title and application.

(2) These regulations shall apply in respect of the Regional service of a transferred officer in the public service of the Western Region and in respect of the part of the pension or gratuity of any such transferred officer which is attributable to his Regional service.

(3) In this regulation the expressions "Regional service" and "transferred officer" have the meanings assigned to them respectively in section 26 of the Ordinance.

2. Regulation 17 of the Pension Regulations, 1951, (hereinafter referred to as the principal regulations), is amended by the insertion in paragraph (e) after sub-paragraph (iv) of the following— Amendment of regulation 17 of the principal regulations (1951 Ann. L.N. p. 93).

"(v) for the purpose of calculating the aggregate pensionable emoluments enjoyed by an officer who retires at any time after the 30th September, 1954, and before the 1st October, 1957, the pensionable emoluments of any office in the public service of Nigeria which he held before the 1st October, 1954, shall be deemed to be those which he would have enjoyed if they had been at the rate which became applicable from the 1st October aforesaid."

3. (1) Regulation 29 of the principal regulations is amended—

(a) by deleting in paragraph (1) (as amended by the Adaptation of Pensions Laws Order, 1955) the words "and retires from the public service of the Federation ;" Amendment of regulation 29, L.N. 91 of 1955.

(b) by deleting from the first line of sub-paragraph (iii) of paragraph (1) to the end of the regulation and inserting the following :—

"(iii) for each complete month of his pensionable service at the annual rate of one four-hundred and eightieth of his pensionable emoluments reduced by an amount equal to fifty per centum of the difference between £1,680 and his pensionable emoluments at the date of his retirement : Provided that in the case of an officer occupying a super-scale post in the Medical Department of the Western Region of Nigeria the figures £1,950 shall be substituted for the figures £1,680."

(2) For the purpose of this regulation the expression "super-scale post" means—

(a) any pensionable office in the former Senior Civil Service of Nigeria not included in an incremental scale and carrying a fixed basic salary ; and

(b) with effect from the 1st day of October, 1954, any pensionable office in the public service of the Western Region the salary of which is for the time being included in a super-scale group of salaries.

(3) Notwithstanding paragraph (1) of this regulation, an officer who before the 30th September, 1951, was promoted to a super-scale post which—

(a) was in existence on the 31st December, 1945 ; and

(b) was not included in the Schedule to the European Officers' Pensions (Amendment) Regulations, 1937,

Regulation  
7 of 1937.

shall, if he retires from that post, have his pension computed in accordance with the provisions of regulation 28."

DATED at Ibadan this 5th day of March, 1957.

By His Excellency's Command,

**G K. MUNRO,**  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 64 of 1957

*Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 31ST JANUARY, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Urhobo West ...	Mr S. O. Adeola ...	Sapele Urban District Council Area.

2. The appointment of Mr J. O. Phillips as Registration Officer, Sapele Urban District Council Area notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 9th February, 1957.



## W.R.L.N. 65 of 1957

*BYE-LAWS made under THE WESTERN REGION  
LOCAL GOVERNMENT LAW, 1952  
(No. 1 of 1953)*

THE ABEOKUTA URBAN DISTRICT COUNCIL  
(LAFENWA MOTOR PARK) BYE-LAWS, 1956

DATE OF COMMENCEMENT : 21ST MARCH, 1957

In exercise of the powers conferred upon the Abeokuta Urban District Council by section 77 of the Western Region Local Government Law, 1952, and Western Region Legal Notice 165 of 1955, the following Bye-laws have been made by the Abeokuta Urban District Council, with the approval of the Minister of Local Government, to whom powers of approval have been delegated.

- |   |  |
|---|--|
| <p>1. These Bye-laws may be cited as the Abeokuta Urban District Council (Lafenwa Motor Park) Bye-laws, 1956, and shall apply to all persons subject to the jurisdiction of the Council.</p>  | Short title.   |
| <p>2. In these Bye-laws :—<br/> “Attendant” means any person appointed as such by the Abeokuta Urban District Council.<br/> “Council” means the Abeokuta Urban District Council.<br/> “Public Transport Vehicle” means any mechanically propelled vehicle intended and adapted for the carriage of passengers and goods.<br/> “Police” means the Nigeria Police or Egba Divisional Council Police.<br/> “Motor Park” means Lafenwa Motor Park being the area described in the first schedule hereto.<br/> “Motor Vehicle” means any mechanically propelled vehicle intended and adapted for use on roads.</p> | Definitions.   |
| <p>3. No motor vehicle shall be parked on any part of the streets known as Lafenwa or any part of the Motor Park other than in accordance with these Bye-laws.</p>  | Area prohibited for parking by all vehicles.                                   |
| <p>4. No public transport vehicle in excess of 25 cwts gross weight shall put down or take passengers on any public highway within a quarter of a mile of the Motor Park.</p>   | Area prohibited for parking by public transport vehicles in excess of 25 cwts. |
| <p>5. The Motor Park shall be used by all public transport vehicles for putting down or taking up passengers or for parking.</p>  | Use of Motor Park.   |
| <p>6. All motor vehicles shall enter the Motor Park from Ibadan-Lagos road and leave by the Lafenwa Station side as may be directed by the Motor Park Attendant.</p>  | Parking directions.  |
| <p>7. All motor vehicles on entering the Motor Park shall be parked in a manner indicated by the Attendant, by notices or signs, or by any Police Officer on duty.</p>  | Order of Police and Attendant to be obeyed.                                    |

Car Park Attendant. 8. The Motor Park shall be under the control of an Attendant who shall collect all fees and issue a printed receipt for same.

Parking fees. Second Schedule. 9. All persons parking motor vehicles in the Motor Park shall pay the fees set out in the second schedule hereto.

Penalties. 10. Any person who—  
(a) neglects or refuses to comply with the provisions of Bye-laws 3, 4, 6, 7, and 9 ;  
(b) neglects or refuses to comply with any instructions of the Attendant or the Police ;  
(c) uses the Motor Park or any part thereof for the purpose of selling any article or carrying on any trade without the written consent of the Abeokuta Urban District Council ;  
(d) erects any stall, shed, building, wall, booth, fence or enclosure within the Motor Park without the consent in writing of the Abeokuta Urban District Council ;  
(e) not being a *bona fide* passenger, loiters in the waiting room provided for passengers ;  
(f) commits any nuisance ;  
(g) deposits any paper, leaves, refuse or rubbish other than in a receptacle provided ;  
shall be guilty of an offence and liable on conviction to a fine not exceeding two pounds or in default of payment to imprisonment for fourteen days for each offence.

11. The penalties provided by these Bye-laws shall be imposed—

- (a) if the offender is subject to the jurisdiction of a Native Court, by a Native Court, and
- (b) if the offender is not subject to the jurisdiction of a Native Court, by a Magistrate Court.

### FIRST SCHEDULE

All that parcel of land adjacent to Lafenwa Motor Park in the Province of Abeokuta marked on Drawing No. P.W.D. A.T.P.I. 3 deposited with the Secretary, Abeokuta Urban District Council, and laid out and constructed for the purpose of providing a motor park for public transport vehicles.

### SECOND SCHEDULE

<i>Type of Vehicle</i>	<i>Rate of Toll</i>
Motor Vehicle of any class or description.	Two shillings per hour or part thereof.

MADE by the Abeokuta Urban District Council this 7th day of November, 1956, the common seal of the Council having been hereunto affixed in the presence of—

A. A. SOMEFUN,  
*Chairman,*  
*Abeokuta Urban District Council*

S. O. ABOABA  
*Secretary,*  
*Abeokuta Urban District Council*

*Signified in accordance with the Abeokuta Urban District Council Standing Orders dated 9th May, 1956.*

APPROVED at Ibadan this 21st day of January, 1957.

A. O. ADEYI,  
*Minister of Local Government*



**W.R.L.N. 66 of 1957***The Western Region Local Government Law, 1952*  
(No. 1 of 1953)ILEOLUJI/OKEIGBO DISTRICT COUNCIL :  
MARKET ADOPTIVE BYE-LAWS

DATE OF COMMENCEMENT : 21ST MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ileoluji/Okeigbo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 281 of 1955, the Ileoluji/Okeigbo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 20th day of March, 1956, that the Market Adoptive Bye-Laws, 1956, be adopted with the following Schedule substituted for the First and Second Schedules thereof :—

- (a) For Council's stalls—2s per month.
- (b) For other stalls—1s per month.
- (c) For vacant space, *i.e.*, squatting—1d per day.
- (d) Parking of Motor Vehicles in the market—1s per day.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 12th March, 1957.

**W.R.L.N. 67 of 1957***The Western Region Local Government Law, 1952*  
(No. 1 of 1953)CONTROL OF PIGS ADOPTIVE BYE-LAWS  
OWO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 21ST MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Owo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 122 of 1955, the Owo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 2nd day of October, 1956, that the Control of Pigs Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 12  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 12th March, 1957.

**W.R.L.N. 68 of 1957**

*Parliamentary and Local Government Electoral  
Regulations, 1955*

**APPOINTMENT OF REGISTRATION OFFICER**

**DATE OF COMMENCEMENT : 25TH FEBRUARY, 1957**

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Urhobo West ...	Secretary, Western Urhobo District Council.	Western Urhobo District Council Area.

2. The appointment of Mr D. W. M. Bazunu as Registration Officer in respect of the Western Urhobo District Council area notified in Western Region Legal Notice 20 of 1957 is hereby revoked.

**A. BOWER,**  
*Electoral Commissioner, Western Region*

Ibadan, 14th March, 1957.

**W.R.L.N. 69 of 1957**

***RULES made under THE DOGS ORDINANCE  
(Cap. 56)***

DATE OF COMMENCEMENT : 21ST MARCH, 1957

In exercise of the powers conferred upon the Oyo Southern District Council by section 15 of the Dogs Ordinance, 1942, and with the approval of the Provincial Adviser, Oyo Province, the following Rules are hereby made :—

1. These Rules may be cited as the Oyo Southern District Council (Rabies) Rules, 1957.

2. These rules shall apply to the area comprised within a circle having a radius of five miles with the Atiba Hall, Oyo as centre.

3. The owner or other person in charge of a dog shall not permit the dog to be in any road, market or public place unless the dog is led on a leash, and a dog not so leashed shall be deemed not under control.

4. A dog found in any way, road, market or public place and not under control may be seized and destroyed.

5. The Authority may recover from the owner of a dog seized or destroyed under the preceding paragraph any expenses incurred by the Authority in seizing or destroying the dog.

MADE this 25th day of February, 1957.

J. A. TANIMOSE,  
*Chairman, Oyo Southern District Council*

Witness to mark :—

C. A. SUNMOLA,  
*Secretary, Oyo Southern District Council*

APPROVED this 28th day of February, 1957.

J. R. V. A. BROMAGE,  
*Provincial Adviser, Oyo Province*



**W.R.L.N. 70 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

IPOKIA DISTRICT COUNCIL : REGISTRATION OF BIRTHS  
AND DEATHS ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 28TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ipokia District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 141 of 1953, the Ipokia District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 13th day of February, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th March, 1957.

**W.R.L.N. 71 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

IDANRE DISTRICT COUNCIL : CONTROL OF DRUMMING  
(ADOPTIVE) BYE-LAWS ORDER, 1956

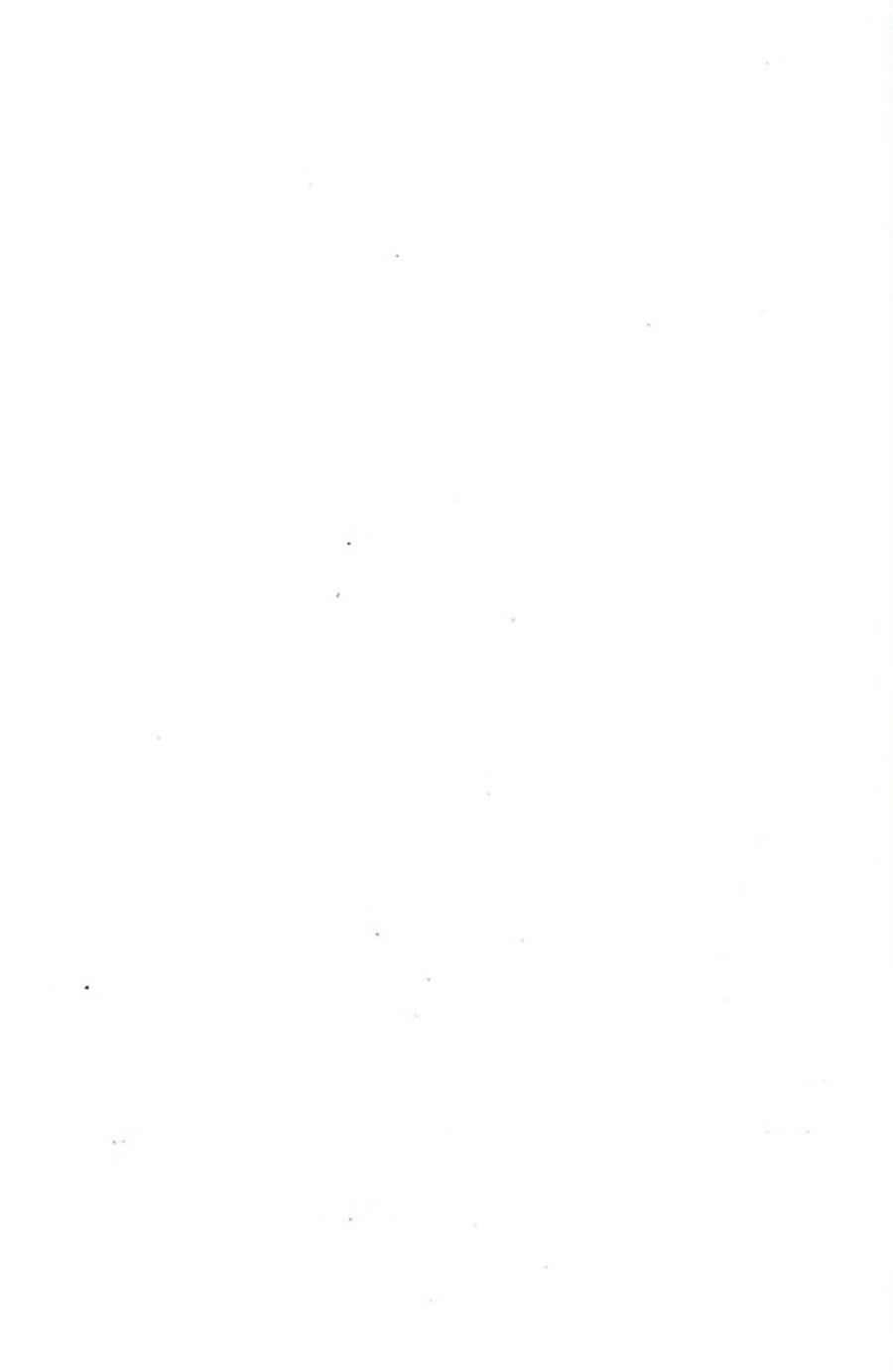
DATE OF COMMENCEMENT : 28TH MARCH, 1957

Notice is hereby given that in exercise of the powers conferred upon the Idanre District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 135 of 1954, the Idanre District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 2nd day of May, 1956, that the Control of Drumming Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
13 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 19th March, 1957.



**W.R.L.N. 72 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

**THE EGBADO IFO DISTRICT COUNCIL :**  
**VEHICLE LICENSING BYE-LAWS**

DATE OF COMMENCEMENT : 4TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Ifo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 169 of 1955, the Egba Ifo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of December, 1956, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
11 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th March, 1957.

**W.R.L.N. 73 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

**EGBA IFO DISTRICT COUNCIL : REGISTRATION OF**  
**BIRTHS AND DEATHS BYE-LAWS, 1956**

DATE OF COMMENCEMENT : 4TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Ifo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 169 of 1955, the Egba Ifo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of December, 1956, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 25th March, 1957.

**W.R.L.N. 74 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**EGBA IFO DISTRICT COUNCIL : CONTROL OF  
DRUMMING BYE-LAWS**

**DATE OF COMMENCEMENT : 4TH APRIL, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Egba Ifo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 169 of 1955, the Egba Ifo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of December, 1956, that the Control of Drumming Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
13 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th March, 1957.

**W.R.L.N. 75 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE AGEGE DISTRICT COUNCIL MARKETS ADOPTIVE  
BYE-LAWS ORDER, 1956**

**DATE OF COMMENCEMENT : 4TH APRIL, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Agege District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 204 of 1955, the Agege District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 27th day of October, 1956, that the Market Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
10 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 27th March, 1957.

**W.R.L.N. 76 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

AGEGE DISTRICT COUNCIL : VEHICLE LICENSING  
BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 4TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Agege District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 204 of 1955, the Agege District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 27th day of October, 1956, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
11 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 27th March, 1957.

**W.R.L.N. 77 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

ONDO WESTERN DISTRICT COUNCIL  
THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 4TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ondo Western District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 283 of 1955, the Ondo Western District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 13th day of September, 1956, that the Market Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
10 of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 26th March, 1957.

**W.R.L.N. 78 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**NORTH EAST ISHAN DISTRICT COUNCIL  
THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS**

**DATE OF COMMENCEMENT : 4TH APRIL, 1957**

Notice is hereby given that in exercise of the powers conferred upon the North East Ishan District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 214 of 1955, the North East Ishan District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 12th day of April, 1956, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 25th March, 1957.

**W.R.L.N. 79 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**KUMBOWEI LOCAL COUNCIL  
THE CONTROL OF SHEEP AND GOATS  
ADOPTIVE BYE-LAWS**

**DATE OF COMMENCEMENT : 4TH APRIL, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Kumbowei Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 229 of 1955, the Kumbowei Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 16th day of December, 1956, that the Control of Sheep and Goats Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
14 of 1956.  
164 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 28th March, 1957.

**W.R.L.N. 80 of 1957**

*The Western Region Printing Corporation Law, 1956  
(No. 5 of 1956)*

**DATE OF COMMENCEMENT : 1ST APRIL, 1957**

In exercise of the powers conferred by section 1 of the Western Region Printing Corporation Law, 1956, the Governor has appointed the 1st day of April, 1957, as the date on which Western Region Printing Corporation Law, 1956, shall come into operation.

By His Excellency's Command,

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

27th March, 1957.

**W.R.L.N. 81 of 1957***The Education Law, 1954 (No. 6 of 1955)*

## DELEGATION OF POWERS

In exercise of the powers conferred upon me by section 3 of the Education Law, 1954, I hereby delegate to the public officers set out in the third column of the schedule hereto the powers set out in the second column opposite to the said officers subject to the limitations and restrictions set out in the fourth column which said powers are conferred upon me by the sections of the said Law set out in the first column.

2. The delegations of powers under sections 54 and 55 notified in Western Region Legal Notice No. 238 of 1955 are hereby revoked.

## SCHEDULE

<i>Section</i>	<i>Powers conferred</i>	<i>Officers</i>	<i>Restrictions</i>
53 (2)	Making of Instruments of Government and Instruments of management.	Senior Education Officers (Provincial).	Limited to Instruments of management.
54	Grouping of public primary and modern schools under one management.	The Director of Education; Senior Education Officers (Provincial).	
55	Determination of numerical strength of body of managers.	The Director of Education; Senior Education Officers (Provincial).	

MADE at Ibadan this 25th day of March, 1957.

J. A. O. ODEBIYI,  
*Minister of Education*

## W.R.L.N. 82 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF OKITIPUPA DIVISIONAL COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 4TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Okitipupa Divisional Council) Order, 1957. Short title.
2. The Okitipupa Divisional Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following— Composition of education committee.
- (a) a chairman ;
- (b) four council members ; and
- (c) ten private members.
- (2) (a) The Chairman and the four council members shall be members of the local education authority and shall be appointed by it.
- (b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
- (3) Of the private members—
- (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
- (b) five shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies ;
- (c) one shall be appointed to represent women's interests.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Okitipupa Divisional Council. Tenure of office of members of committee.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Okitipupa Divisional Council, occurring next after his appointment.
- (3) The seat of a private member of the education committee shall become vacant—
- (a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Okitipupa Divisional Council.

MADE at Ibadan the 16th day of March, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 26th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 83 of 1957

*The Education Law, 1954 (No. 6 of 1955)*

## THE LOCAL EDUCATION AUTHORITY (APPOINTMENT OF WARRI URBAN DISTRICT COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 4TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Warri Urban District Council) Order, 1957. Short title.
2. The Warri Urban District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following :— Composition of education committee.
  - (a) a chairman ;
  - (b) seven council members ; and
  - (c) twelve private members.
  - (2) (a) The Chairman and the seven council members shall be members of the local education authority and shall be appointed by it.
  - (b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
  - (3) Of the private members—
    - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
    - (b) nine shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies ;
    - (c) one shall be appointed to represent women's interests ;
    - (d) one shall be the principal of the Delta Provincial Elementary Training College.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Warri Urban District Council.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election of the Warri Urban District Council, occurring next after his appointment.

(3) The seat of a private member of the education committee shall become vacant—

(a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Warri Urban District Council.

MADE at Ibadan the 16th day of March, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 26th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 84 of 1957

*The Education Law, 1954 (No. 6 of 1955)*  
 THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
 OF IVBIOSAKON DISTRICT COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 4TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Ivbiosakon District Council) Order, 1957. Short title.
2. The Ivbiosakon District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following— Composition of education committee.
  - (a) a chairman ;
  - (b) five council members ; and
  - (c) six private members.

(2) (a) The Chairman and the five council members shall be members of the local education authority and shall be appointed by it.

(b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.

(3) Of the private members—

  - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
  - (b) five shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any sub-section (2) of section 12 of the Law) as representing the interests person to whom he has delegated his powers under paragraph (e) of of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Ivbiosakon District Council.
  - (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Ivbiosakon District Council, occurring next after his appointment.
  - (3) The seat of a private member of the education committee shall become vacant—
    - (a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Ivbiosakon District Council.

MADE at Ibadan the 16th day of March, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 26th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 85 of 1957

*The Education Law, 1954 (No. 6 of 1955)*

## THE EDUCATION GRANT-IN-AID REGULATIONS, 1957

DATE OF COMMENCEMENT : 11TH APRIL, 1957

In exercise of the powers conferred upon the Governor in Council by section 85 of the Education Law, 1954, the following Regulations are hereby made :—

1. These Regulations may be cited as the Education (Grant-in-Aid) Regulations, 1957. Short title.

2. In these regulations—

Interpreta-  
tion.

“attendance period” means each period of a day during which the pupils are in continuous attendance at a school for the purpose of instruction ;

“approved” means approved by the Minister ;

“graduate” means the holder of a degree or equivalent qualification granted by a university or institution recognised by the Minister ;

“prescribed” in relation to scales of salaries and allowances means prescribed by regulations made by the Minister ;

“school year” in relation to a primary school means the period appointed under section 30 of the Law, and in relation to any other class of institution means such period, not exceeding twelve months, as the Minister may appoint as the school year for the purposes of that class of institution.

3. (1) For the purposes of these regulations the Minister may, after consultation with the Board, approve any voluntary agency which satisfies the following conditions :— Approval of  
voluntary  
agencies.

(a) is registered under the Land (Perpetual Succession) Ordinance, or is a body corporate having perpetual succession and the power to hold land ; and

(b) owns one or more schools situated within the Region which in the opinion of the Minister are *prima facie* deserving of a grant-in-aid on the grounds of efficiency, social usefulness and educational necessity ; and

(c) supplies to the Minister proof that no school established or conducted by it is conducted on a profit-making basis ; and

(d) gives an undertaking that any extension of its educational activities will comply with the requirements as to any areas of operation laid down by the Minister ; and

(e) supplies to the Minister proof that it follows a policy of education acceptable to the Regional Government, and where such a voluntary agency is a group of persons, supplies proof of common resources and a common policy of education ; and

(f) maintains a satisfactory system of supervision of its schools ; and

(g) has either adequate facilities for the training of teachers or is party to an agreement with another voluntary agency or with the Regional Government for a supply of trained teachers :

Provided that the Minister may approve a voluntary agency which does not satisfy the provisions of sub-paragraph (a) of this paragraph in respect of its primary and secondary modern schools only.

(2) The Minister may, after consultation with the Board, order that a voluntary agency already approved be no longer accorded that status but such order shall not be made unless the voluntary agency has been furnished with a statement of the reasons for the proposed withdrawal of the approval and has been given an opportunity of making representations thereon.

(3) The Minister, pending consultation with the Board, may give his provisional approval to any voluntary agency on such conditions as he may consider fit.

(4) A voluntary agency which immediately before the commencement of the Law had the status of an approved voluntary agency for the purpose of regulation 4 of the Education (Grant-in-Aid) Regulations, 1952, shall be deemed as at the date of the commencement of these regulations to be approved under this regulation.

#### PART II—ANNUAL GRANTS

Grants by local education authorities or by local authorities.

4. (1) For each school year a grant shall, unless the Minister in any case otherwise directs, be made by the appropriate authority in respect of each primary school, of which an approved voluntary agency is the proprietor, which is declared by the Minister to satisfy the conditions specified in regulation 6.

(2) The grant shall be made to the managers of the school and shall be calculated in accordance with regulation 8.

(3) In this regulation "appropriate authority" means—

(a) in relation to a primary school which is situate in an area in respect of which a local education authority is appointed, that local education authority ; and

(b) in relation to a primary school which is situate in an area in respect of which no local education authority is appointed, the local authority having jurisdiction in the area upon which the function of a local education authority to assist voluntary agency schools is conferred under section 17 of the Law.

Grants by the Minister.

5. (1) For each school year a grant shall be made by the Minister to each local education authority and to each local authority—

(a) in respect of each primary school maintained by it which in the opinion of the Minister, satisfies the conditions specified in regulation 6 ; and

(b) in respect of each primary school assisted by it in accordance with regulation 4.

(2) For each school year a grant may be made by the Minister to the Governors of a higher institution—

(a) of which an approved voluntary agency or local education authority or local authority is the proprietor ; and

(b) which satisfies the conditions specified in regulations 6 and 7.

(3) The amounts of the grants which may be made under paragraphs (1) and (2) of this regulation shall be calculated in accordance with regulation 9 and regulations 10 and 11, respectively.

General conditions to be satisfied.

6. The following conditions shall be satisfied by a primary school, or higher institution in order that a grant may be payable in respect thereof—

(a) the requirements imposed by or under the Law on public primary schools, or public higher institutions, as the case may be, shall be complied with ;

(b) the institution shall be in the interest of the community to be served ;  
 (c) the institution shall be kept on a satisfactory level of efficiency and shall be open to inspection by an Inspector ;

(d) the institution shall not be conducted for profit ;

(e) the proprietor shall have a valid title to or interest in the land on which the institution is situated ;

(f) without prejudice to such requirements as may be imposed on institutions by regulations made under the Law—

(i) the instruction shall be in accordance with a suitable curriculum and syllabus framed with due regard to the ages, abilities and aptitudes of the pupils, to the periods for which they may be expected to remain at school, and to the organisation and circumstances of the school ;

(ii) the premises shall be suitable for an institution and accommodation provided thereat shall be adequate and suitable having regard to the number, ages and sex of the pupils attending the institution ;

(iii) accounts shall be kept of the revenue and expenditure of the institution which accounts, together with all books, papers and moneys relating thereto, shall at all reasonable times be available for inspection by an auditor approved for the purpose by the Minister ;

(g) teachers whose salaries are part of the recognised expenses of the institution shall be paid at the prescribed scales of salary which are appropriate to their qualifications and at the proper incremental points in that scale having regard to their length and conditions of service ;

(h) the number of teachers shall be reasonably proportionate to the number of pupils and the composition and qualifications of the staff shall comply with the maximum and minimum requirements specified by the Minister ; and

(i) no teacher in the institution whose salary forms part of the recognised expenses of the institution shall be permitted to engage in any vocation or occupation which in the opinion of the Minister interferes with the proper conduct of his scholastic duties.

7. In addition to the conditions specified in regulation 6 a higher institution shall satisfy the following conditions—

(a) the number of attendance periods during the year in respect of which the grant is made shall be at least three hundred and sixty :

Provided that such less number as the Minister may determine shall be sufficient if it is necessary to close the institution during part of the year owing to infectious disease or other unavoidable cause, or if the institution is earning a grant for the first time and is not opened until after the beginning of the school year ;

(b) the composition and qualifications of the staff shall comply with the minimum requirements prescribed by Table I ; and

(c) in the case of a training college, the course of training provided shall be in preparation for an examination for a teacher's certificate approved by the Minister.

8. (1) The grant-in-aid payable in respect of a primary school in accordance with regulation 4 by a local education authority or a local authority shall consist of the recognised expenses of the school together with—

(a) a sum for each unit of the average number of pupils on the register of the school at the end of the second term in the appropriate school year ;

Additional condition to be satisfied by higher institutions.

Calculation of grants-in-aid of primary schools by local education and local authorities.

(b) a sum for each unit of the approved number of class teachers employed in the school in that year.

(2) The recognised expenses of a primary school shall be calculated by adding together—

(a) the sum equal to the amount of the salaries of the non-expatriate staff approved in respect of the school, computed in accordance with the prescribed scales of salary ;

(b) the expenses in connection with the expatriate staff approved in respect of the school, computed in accordance with the prescribed scales of allowances; and

(c) the amount of any allowance payable to the head teacher of the school in accordance with the prescribed scales of allowance.

(3) (a) The sum payable in respect of pupils shall be at the rate of five shillings for each unit.

(b) The sum payable in respect of class teachers shall be at the rate of ten pounds for each unit.

Calculation of grants to local education and local authorities.

9. (1) The grant-in-aid payable by the Minister in accordance with paragraph (1) of regulation 5 shall be—

(a) in the case of a school maintained by a local education authority or a local authority, the prescribed proportion of the amount which would be payable under paragraph (2) of regulation 8 if the school were assisted by the local education authority or the local authority ;

(b) in the case of a school assisted by a local education authority or a local authority, the prescribed proportion of the grant payable in accordance with paragraph (2) of regulation 8.

(2) For the purposes of paragraph (1) of this regulation the Governor in Council shall by order prescribe in respect of each school year the proportion of expenditure payable to local education authorities and local authorities (which shall be the same for all such authorities).

(3) (a) A sum prescribed under paragraph (2) of this regulation for any school year may not be varied after the commencement of the school year.

(b) Before making any order in respect of a school year which is less than the proportion prescribed for the preceding school year the Governor in Council shall cause not less than twelve months notice of his intention to make such order to be given to all local education authorities and local authorities affected.

Calculation of grants-in-aid of training colleges.

10. (1) The grant-in-aid of a training college shall consist of an amount equal to the recognised expenses of the training together with a sum for each unit of the average number of pupils on the register of the training college for the appropriate school year.

(2) The recognised expenses of a training college shall be calculated by adding together—

(a) the sum equal to the amount of the salaries of the non-expatriate staff approved in respect of the training college, computed in accordance with the prescribed scales of salary ;

(b) the expenses in connection with the expatriate staff approved in respect of the training college, computed in accordance with the prescribed scales of allowance ;

(c) the amount of any allowance payable to members of the staff with special responsibilities in accordance with the prescribed scales of allowance.

(3) The sum payable in respect of pupils shall be at the rate of twenty-two pounds per unit in respect of general training expenses plus two pounds per unit in respect of books.

11. (1) A grant-in-aid of a higher institution, other than a training college, shall be an amount equal to the net expenditure of the institution for the appropriate school year.

Calculation of grants-in-aid of higher institutions.

(2) The net expenditure of a higher institution shall be calculated as follows—

(a) there shall be added together—

(i) the sum equal to the amount of the salaries of the non-expatriate staff approved in respect of the institution, computed in accordance with the prescribed scales of salaries :

Provided that the number of staff in respect of which any sum is so computed shall not exceed the maximum number of staff specified in Table I ;

(ii) the expenses in connection with the expatriate staff approved in respect of the institution, computed in accordance with the prescribed scales of allowance :

Provided that the number of staff in respect of which any sum is so computed shall not exceed the maximum number of staff specified in Table I ;

(iii) the amount of any allowances payable to members of the staff with special responsibilities in accordance with the prescribed scales of allowance ;

(iv) a sum not exceeding six pounds for each unit of the average number of registered pupils on the register at the institution for the appropriate school year :

Provided that such sum shall not be used to defray any expenses incurred in the boarding of pupils.

(v) such sum (if any) as may be approved for the provision of a reserve fund for future development ;

(b) there shall be deducted from the aggregate of the amounts specified under sub-paragraph (a) of this paragraph—

(i) a sum equal to fifteen pounds for each unit of the average number of male pupils on the register of the institution for the appropriate school year ;

(ii) a sum equal to ten pounds for each unit of the average number of female pupils on the register of the institution for the appropriate school year.

(3) A provisional calculation of the net expenditure shall be made for each year from the estimated expenditure of the institution prepared by the governors thereof in advance of the year to which the grant relates and approved by the Minister and such provisional calculation shall provide for a fixed grant payable quarterly and such grants shall be adjusted on the basis of the actual expenditure disclosed when the accounts of the school to which the grant relates are closed.

12. (1) For each school year the Minister may make a grant to a local education authority, a local authority or an approved voluntary agency in aid of the administrative and supervisory expenses of such local education authority, local authority or approved voluntary agency.

Grants-in-aid of administrative and supervisory expenses.

(2) A grant made to an approved voluntary agency and a local education authority or a local authority in aid of administrative expenses shall be the equivalent of the total actual expenditure approved by the Minister for the purpose.

(3) A grant made to a local education authority, a local authority, or an approved voluntary agency in aid of supervisory expenses shall be computed in accordance with Table II.

Provisional payments.

13. (1) A provisional calculation of grants in aid of local education authorities and grants in aid of primary school, training college or administrative and supervisory expenses shall be made by the authority by which the grant is payable in advance of the school year to which the grant relates and such provisional calculation shall provide for a fixed grant payable in such instalments as the Minister may direct.

(2) The amount paid in accordance with a provisional calculation shall be adjusted after the end of the school year to which it relates :

Provided that in the case of grants in aid of primary schools the provisional calculation may be adjusted after such period as the Minister may direct.

Control of Minister over purposes to which grants applied.

14. (1) The Minister may give directions to the managers or governors of any institution to which a grant is made as to the purposes to which the grant is to be applied.

(2) Where the managers or governors of an institution fail to comply with a direction given under paragraph (1) of this regulation the Minister may—

(a) in the case of an institution assisted by a local education authority or local authority in accordance with regulation 4 revoke or reduce the grant made in respect of that institution to such local education authority or local authority in accordance with regulation 5 ;

(b) in the case of an institution assisted by a grant made by the Minister, revoke or reduce the grant.

(3) Where the Minister reduces a grant he shall have regard to the extent to which the amount prescribed by these regulations has been applied to purposes other than those directed.

(4) Where the Minister revokes a grant the amount payable shall not exceed the net outstanding liabilities incurred for the purposes for which the grant was made at the date of the revocation.

(5) Where the Minister revokes or reduces a grant to a local education authority or local authority in accordance with sub-paragraph (b) of paragraph (2) of this regulation he may direct that local education authority or local authority to revoke or reduce the grant made by it to the institution concerned and the provisions of paragraphs (3) and (4) of this regulation shall apply accordingly.

Grants in respect of part of school year.

15. (1) Notwithstanding anything in this Part the Minister, a local education authority or a local authority may make a grant under this Part for part only of a school year.

(2) If a grant is made for part only of a school year the amount shall be reduced as the Minister thinks proper having regard to the length of the period.

Power to withhold grants in respect of certain persons.

16. (1) Notwithstanding anything in this Part, if the Minister is satisfied that the employment of a person in an institution or on the administrative or supervisory staff of a voluntary agency, local education authority or local authority—

(a) would not be conducive to the efficiency of the institution or the administration or supervision of the education provided by such voluntary agency, local education authority or local authority, as the case may be ;  
or

(b) would hinder the implementation of the educational programme of the Government of the Region ;

(c) would involve a breach by the person employed of any agreement entered into by him to serve as a teacher in an institution or on any such administrative or supervisory staff ;

he may direct that a grant to that institution under any of the preceding regulations or a grant in aid of supervisory and administrative expenses shall not include any amount which would otherwise be payable in respect of the salary, expenses or allowances of such persons.

(2) Before giving a direction under sub-paragraph (a) or (b) of paragraph (1) of this regulation the Minister shall consult with the proprietors and, where the Minister thinks fit, the managers or governors of the institutions concerned.

#### PART III.—GRANTS FOR TEACHER TRAINING AND SPECIAL PURPOSES

17. (1) The Minister may make grants to a local education authority, a local authority or an approved voluntary agency in respect of the cost of training teachers for service in the higher institutions maintained by such local education authority, local authority or approved voluntary agency.

Grants for  
the training  
of teachers.

(2) In order that a grant may be made under this regulation the following conditions shall be satisfied—

(a) the student in respect of whom a grant is made shall be a person selected by such committee or body as the Minister may appoint for the purpose from amongst persons proposed by the local education authority, local authority or approved voluntary agency ;

(b) the training shall be at a university or other institution (whether in West Africa or elsewhere) approved by the Minister ;

(c) the student shall enter into such an agreement as may be approved by the Minister to complete the course of training and thereafter teach for a period to be specified in such agreement in the schools of the local education authority, local authority or approved voluntary agency concerned.

(3) The grant payable under this regulation may, at the Minister's discretion, cover—

(a) the fees payable in respect of the course of training ;

(b) a maintenance allowance in respect of board and lodging except where free board and lodging are provided, expenses involved in membership of societies and other activities connected with the institution at which the course is held or in other cultural and athletic activities, and the cost of books, apparatus, clothes, travelling and personal expenditure ;

(c) an additional maintenance allowance for a student who is obliged to support himself unaided during the vacations.

(4) In assessing the amount of a grant under this regulation the Minister shall have regard to any income or other means of support available to the student, including sums accruing to him by virtue of any scholarship or other benefit awarded by a local education authority or other body.

(5) A grant under this regulation shall be payable in such instalments as the Minister may direct.

(6) A grant awarded in respect of any student may be revised or cancelled if the Minister thinks fit in the circumstances of the case.

Grants-in-aid for special purposes.

18. (1) Grants may be paid to an approved voluntary agency, local education authority or local authority in aid of all or any of the following special purposes :—

- (a) the building of institutions other than secondary modern schools ;
- (b) the building of secondary modern schools which satisfy the following conditions—

- (i) the requirements imposed by and under the Law on secondary modern schools ;

- (ii) the conditions specified in paragraphs (b) to (i) inclusive of regulation 6 ;

- (c) science equipment ;

- (d) special equipment ;

- (e) marriage training schools ;

- (f) special educational treatment ;

- (g) adult education, including literacy classes ;

- (h) the payment of expatriate staff on temporary engagement for the improvement or establishment of trade vocational departments in schools ; and

- (i) any other special education purposes which, in the opinion of the Minister, may from time to time be regarded as calling for financial support.

(2) Such grants shall be of such amount and made under such conditions as shall be determined from time to time by the Minister.

(3) The provisions of regulation 14 shall apply in relation to a grant made under this regulation as they apply to a grant made under Part II.

#### TABLE I

(REGULATIONS 7 (b) AND 11 (2))

#### PART A

#### SECONDARY GRAMMAR SCHOOLS : MINIMUM STAFF

(i) The minimum number of graduate teachers required on the staff of a Secondary Grammar School or part of a Secondary Grammar School is one for every ninety pupils or part thereof on the register, the total number of graduates and other teachers being such as there is not less than one teacher for every thirty pupils on the roll.

(ii) Teachers who have not any of the following qualifications may not teach above Class II of a Secondary Grammar School without the special permission of the Minister : a University degree recognised by the Minister, a pass in an Intermediate examination of London University or other approved Intermediate degree examination, a Yaba Diploma, a Ministry of Education Certificate, a Higher School Certificate of an approved examination syndicate, a Teachers' Senior Certificate.

## PART B

## SECONDARY GRAMMAR SCHOOLS : MAXIMUM STAFF

<i>No. of Classes</i>	<i>Assistants+Principal</i>	<i>Total Staff</i>
4	5	6
5	7	8
6	8	9
7	10	11
8	11	12
9	13	14
10	14	15
11	15	16
12	17	18
16	23	24

In special cases approved by the Minister an extra member of staff may be allowed.

Where staff is employed in a secondary grammar school both on a whole time basis and a part time basis, any question which may arise as to whether the maximum or minimum numbers required by this Table have been complied with shall be determined by the Minister.

TABLE II

(REGULATION 12 (3))

1. A local education authority, local authority or approved voluntary agency shall be entitled to appoint one supervisor in respect of every forty schools of which the authority or agency is the proprietor.

2. The Minister may make a grant for a supervisor where the number of schools is less than forty if he considers that special circumstances exist which justify such a grant.

3. In respect of the supervision of schools in areas which the Minister considers difficult of access, he may reduce the number of schools for which a supervisor is allowed.

4. The grant payable in respect of a supervisor shall be—

(a) the sum equal to the amount of his salary computed in accordance with the prescribed scale appropriate to his qualifications ;

(b) a special responsibility allowance of £50 per annum ;

(c) a special transport allowances of £120 per annum.

MADE by the Governor-in-Council at Ibadan the 27th day of March, 1957.

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*



## W.R.L.N. 86 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE AIYEDADE DISTRICT COUNCIL LOCAL EDUCATION  
AUTHORITY (PRIMARY SCHOOL BUILDING PROGRAMME)  
(DEFAULT) ORDER, 1957

DATE OF COMMENCEMENT : 11TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by paragraph (1) of section 14 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Aiyedade District Council Local Education Authority (Primary School Building Programme) (Default) Order, 1957. Short title.

2. The Aiyedade District Council Local Education Authority is hereby declared in default in discharging the duty imposed upon it under subparagraph (b) of paragraph (1) of section 9 of the Education Law, 1954, to establish the new public primary schools directed by the Minister that are specified in column 1 of the Schedule to this Order. Council declared in default.

3. The Aiyedade District Council Local Education Authority is hereby directed— Directions to enforce execution of duty.

(a) to complete the schools specified in the first column of the Schedule to this Order within three months of the date of commencement of this Order ;

(b) to exercise the rights of the Council to terminate, within three months of the date of commencement of this Order, the contracts drawn up between the Aiyedade District Council and the contractors specified in the second column of the Schedule in respect of the construction of the schools specified in the first column of the schedule ;

(c) within three months of the date of commencement of this Order to commence and prosecute such legal proceedings for the recovery of damages against such contractors as may be brought by the Council in respect of the failure of the contractors to construct the schools specified in the first column in accordance with the contracts ;

(d) to draw up and enter into contracts with contractors other than those specified in the second column of the schedule to complete the schools specified in the first column within three months of the date of commencement of this Order.

## SCHEDULE

1	2
<i>Name of School</i>	<i>Contractor</i>
District Council School, Buoye ... ..	E. A. Owoyemi and Sons.
District Council School, Arigidi Akan ... ..	S. L. Amole.
District Council School, Dagbolu... ..	T. O. Oludaisi.
District Council School, Faru ... ..	J. B. Animashaun.
District Council School, Itamarun ... ..	Messrs Allen and Duro.

SCHEDULE—*contd.*

1	2
<i>Name of School</i>	<i>Contractor</i>
District Council School, Alamo ... ..	Messrs Ajadi and Goke.
District Council School, Awala ... ..	T. O. Odetunde (Unity Builders and General Contractors).
District Council School, Molawusa ... ..	E. A. Owoyemi and Sons

MADE at Ibadan the 19th day of February, 1957.

J. A. O. ODEBIYI,  
*Minister of Education*

I consent to the making of the above Order.

DATED the 28th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

**W.R.L.N. 87 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1956  
EGBADO KETU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 11TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbado Ketu District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 138 of 1953, the Egbado Ketu District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 6th day of February, 1957, that the Registration of Births and Deaths Adoptive Bye-Laws, 1956, be adopted. W.R.L.N. 15 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 28th March, 1957.

**W.R.L.N. 88 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

REGISTRATION OF MARRIAGES BYE-LAWS :  
EKITI SOUTHERN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 11TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Southern District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Regional Legal Notice 2 of 1955, the Ekiti Southern District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 29th day of December, 1956, that the Registration of Marriages Adoptive Bye-laws, 1956 be adopted. W.R.L.N. 4 of 1957.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 2nd April, 1957,

## W.R.L.N. 89 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

IYEKUSELU DISTRICT COUNCIL  
VEHICLE LICENSING BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 11TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Iyekuselu District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 193 of 1955, the Iyekuselu District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 29th day of December, 1956, that the Vehicle Licensing Adoptive Bye-Laws, 1956, be adopted with the following schedule substituted for the Second Schedule thereof :—

W.R.L.N.  
11 of 1956.

	£	s	d
(a) Bicycle or tricycle and other pedalled vehicle ...	0	5	0
(b) Hand-cart or barrow ... ..	0	10	0
(c) Bath-chair, rickshaw or go-cart ... ..	0	10	0
(d) Two-wheeled carriage, cart or truck ... ..	0	10	0
(e) Four-wheeled carriage, cart or trolley ... ..	1	0	0
(f) For a new licence and metal or plastic plate to replace one lost or stolen ... ..	0	1	0

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 29th March, 1957.

**W.R.L.N. 90 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 1ST APRIL, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Regional Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Ife Central	Mr E. O. Awolola	Whole Constituency.

2. The appointment of Mr M. A. Fabunmi as Electoral Officer, Ife Central, notified in Western Regional Legal Notice 49 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner, Western Region*

Ibadan, 1st April, 1957.

**W.R.L.N. 91 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 1ST APRIL, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Regional Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Ijebu North ...	Secretary, Ilugun/Alaro District Council ... ..	Ilugun/Alaro District Council Area.

2. The appointment of Mr J. A. Ajidagba as Registration Officer in respect of the Ilugun/Alaro District Council area notified in Western Regional Legal Notice 253 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner,  
Western Region*

Ibadan, 1st April, 1957.

**B 120**

**W.R.L.N. 92 of 1957**

*Forestry Ordinance (Cap. 75)*

OYO DIVISIONAL COUNCIL

(OKE-IHO FUEL PLANTATION) FOREST RESERVE ORDER, 1956

ADDENDA

DATE OF COMMENCEMENT : 14TH FEBRUARY, 1957

In Western Regional Legal Notice 33 of 1957 published as a supplement to the Western Regional Gazette No. 8, Vol. 6, of the 14th February, 1957 :—

Page B 44, above "Chairman" in line 16. E. O. Omolodun should be added and above "Secretary" S. A. Yerokun should be added.

**W.R.L.N. 93 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

APPOINTED DAY NOTICE

DATE OF COMMENCEMENT : 12TH APRIL, 1957

In exercise of the powers conferred by section 1 of the Local Government Law, 1957, the Governor has been pleased to appoint the 12th day of April, 1957, as the day on which the Local Government Law shall come into operation.

A. HOLDEN,  
*Secretary to the Premier and  
Executive Council*



## W.R.L.N. 94 of 1957

*The Education Law, 1954 (No. 6 of 1955)*  
 THE SCHOOLS AND INSTITUTIONS (RECORDS)  
 REGULATIONS, 1957

DATE OF COMMENCEMENT : 18TH APRIL, 1957

The Minister of Education in exercise of the powers conferred upon him by paragraph (f) of section 29 and by section 51 of the Education Law, 1954, and after consultation with the Regional Advisory Board of Education, hereby makes the following Regulations :—

1. These Regulations may be cited as the Schools and Institutions (Records) Regulations, 1957. Short title.
  
2. In these regulations unless the context otherwise requires :— Interpretation.
  - (a) "the Law" means the Education Law, 1954, as amended by any later enactment ;
  - "authority" means local education authority.
  - (b) other expressions which have meanings assigned to them by the law shall have the same respective meanings for the purpose of these regulations.
  
3. (1) At every Government or public primary school or public Secondary Modern School the following records and books shall be kept by the teacher in charge and produced at the request of an inspecting officer, supervisor, secretary or member of the Body of Managers— Registers and Records to be kept in Public Institutions.
  - (a) a register of admission, progress and withdrawal which shall be kept in accordance with Schedule A ;
  - (b) a register of attendance which shall be kept in accordance with Schedule B ;
  - (c) a log book in which shall be entered by the teacher in charge the visits of members of the Body of Managers, inspecting officers, supervisor or secretary, the appointment, absence, illness, or failure of duty of any of the school staff or any special event or circumstances affecting the school which may deserve to be recorded ;
  - (d) a report file in which reports made by any inspecting officer or supervisor shall be kept, and produced in conjunction with the log book ;
  - (e) a visitors' book ;
  - (f) a school cash book which shall be kept in accordance with Schedule C. In every public Secondary Modern School there will also be kept a separate account for fees ;
  - (g) a copy of the Education Law, all regulations made thereunder and any amendments thereto ;
  - (h) a copy of the approved syllabus and schemes of work ;
  - (i) a school time-table and analysis thereof approved by the appropriate supervisor which must be clearly exhibited ;
  - (j) a class time-table which shall be exhibited in each class-room ;

(k) teachers' weekly diaries of all work done ;

(l) teachers' lesson notes ;

(m) a corporal punishment book in which shall be entered by the headmaster or teacher authorised by the headmaster, the date of all such punishment awarded, the nature of the offence and punishment, the name of the teacher administering the punishment and the name of the pupil. Such corporal punishment shall be kept to the minimum and shall be administered only by the headmaster, or teacher authorised by the headmaster, such authorisation to be entered in the log book :

Provided that no female pupil shall receive corporal punishment from a male teacher ;

(n) a stock book showing items of equipment.

(2) The registers and books listed in sub-paragraphs (a) and (f) of paragraph (1) of this regulation shall be kept for at least ten years and those in sub-paragraphs (b) and (m) for at least five years after the last entry. The log book, report file, and visitors' book shall be retained permanently.

(3) At every Government and public Secondary Grammar School the following records and books shall be kept by the principal and produced at the request of an inspecting officer or a member of the Board of Governors :—

(a) a register of admission, progress and withdrawal ;

(b) a register of attendance which shall be kept in accordance with Schedule B ;

(c) a log book in which shall be entered by the principal the visits of members of the Board of Governors and inspecting officers, the appointment, absence, illness, or failure of duty of any of the school staff or any special event or circumstances affecting the school which may deserve to be recorded ;

(d) a report file in which reports made by an inspecting or visiting officer shall be kept and produced in conjunction with the log book ;

(e) a visitors' book ;

(f) a school accounts book showing every item of income and expenditure ;

(g) a copy of the Education Law, all regulations thereunder and any amendments thereto ;

(h) a copy of the syllabus in each subject ;

(i) a school time-table and analysis ;

(j) a class time-table and home-work time-table which shall be exhibited in each classroom ;

(k) a corporal punishment book as specified in sub-paragraph (m) of paragraph (1) of this regulation.

(4) The registers and books listed in sub-paragraphs (a) and (f) of paragraph (3) of this regulation shall be kept for at least ten years and those in sub-paragraphs (b) and (k) for at least five years after the last entry. The log book shall be retained permanently.

(5) At every Government and public teacher training college the following records and book shall be kept by the principal and produced at the request of an inspecting officer or member of the Board of Governors—

(a) a register of admission, progress, and withdrawal ;

(b) a log book in which shall be entered by the principal the visits of members of the Board of Governors, and inspecting officers, the appointment, absence exceeding a week, illness or failure of duty of any of the College staff or any special event or circumstances affecting the College which may deserve to be recorded ;

(c) a report file in which reports made by an inspecting officer shall be kept and produced in conjunction with the log book ;

(d) a visitors' book ;

(e) a college account book showing every item of income and expenditure ;

(f) a copy of the Education Law, all regulations made thereunder and any amendments thereto ;

(g) a copy of the approved syllabus and schemes of work ;

(h) a college time-table and analysis.

(6) The registers and books listed in sub-paragraphs (a) and (e) of paragraph (5) of this regulation shall be kept for at least ten years. The log book, report file, and visitors' book shall be retained permanently.

4. (1) At every private institution the following records and books shall be kept by the proprietor and produced at the request of an inspecting officer—

Registers to be kept in private institutions.

(a) a register of admission, progress and withdrawal ;

(b) a register of attendance ;

(c) a log book ;

(d) a report file ;

(e) a visitors' book ;

(f) a school or college time-table and analysis ;

(g) a corporal punishment book as specified in sub-paragraph (m) of paragraph (1) of regulation 3.

(2) The registers and books listed in sub-paragraphs (a) and (c) of paragraph (1) of this regulation shall be kept for at least ten years and those in (b) and (g) for at least two years after the last entry.

5. (1) Any person responsible for keeping the records prescribed by regulation 3 or 4 who fails to keep or produce the books and records prescribed by the regulations shall be guilty of an offence. Penalties.

(2) Any member of a Body of Managers or Board of Governors of an institution in which the person responsible for keeping the records prescribed by regulation 3 or 4 fails to keep or produce the books and records prescribed by the regulations shall be guilty of an offence.

(3) A person convicted of an offence under these regulations shall be liable to a fine of fifty pounds.

### SCHEDULE A

The Admission Register shall contain the following particulars in respect of every pupil admitted to the school :—

- (a) Admission Number.
- (b) Name in full ; surname first in block capitals.
- (c) Sex.
- (d) Name and address of parent and guardian.
- (e) Day, month and year of birth.
- (f) Day, month and year of admission or re-admission.
- (g) Name and address of school last attended, if any.
- (h) Last class attended at previous school.
- (i) Number of Transfer Certificate from previous school.
- (j) Record of Progress—one column for each class and year of entering to be given.
- (k) Date of leaving school.
- (l) Number of transfer certificate, if any.
- (m) Number of School Leaving Certificate, if any.
- (n) Number of Testimonial, if any.
- (o) Remarks, *e.g.*, reason for leaving school, re-admission and previous admission number.

(2) Every entry in an Admission Register shall be written in ink and any correction shall be made in such a manner that the original entry and the correction are both clearly distinguishable.

(3) The following grounds are hereby prescribed as those on which a pupil may be deemed to have left school, that is to say :—

- (i) that he or she has been registered as a pupil of another institution.
- (ii) that his or her parent or guardian has notified the Headmaster in writing that the child will no longer attend the institution at which he is registered.
- (iii) that he or she has been continuously absent from the institution for a period of not less than four weeks and the Body of Managers has failed, after reasonable enquiry, to obtain information of the cause of the absence.
- (iv) that the Body of Managers has ascertained that the pupil has died.
- (v) that the pupil has completed the full course prescribed for the institution.

### SCHEDULE B

1. The Attendance Register for each class shall contain the following particulars in respect of every pupil whose name is entered in the admission register until such time as the pupil is deemed to have left the institution :—

- (a) Admission number.
- (b) Name in full, surname first in block capitals, the names of all boys in attendance at the start of the school year to be entered in blue or black ink in alphabetical order and thereafter the names of all the girls, in red ink.
- (c) Sex.

2. The attendance register shall be kept in accordance with the following procedure :—

(a) There shall be columns to show the attendance or absence at every morning and afternoon session.

(b) There shall be columns to show a weekly summary of attendances.

(c) The register shall be closed thirty minutes after the commencement of each session.

(d) The presence of a pupil shall be indicated by an oblique stroke in blue or black ink in the column used for that session.

(e) The absence of a pupil shall be indicated by an "o" in blue or black ink.

(f) The late arrival of a pupil before the register is closed shall be indicated by an oblique stroke in red ink.

(g) No deletion or erasure shall be made in the Attendance Register. All errors shall be circled in red ink and the correct entry made alongside.

(h) If during the first period in any session the class is receiving instruction at some place other than its own school, then the teacher in charge in addition to keeping an attendance register should send a list of absentees or a "nil" return to each school concerned each day. There should be a reconciliation of the two sets of registers twice a term.

(i) At the end of each term a summary shall be made of attendances and absences in the case of each child.

(j) The Headmaster shall check and initial all weekly summaries during the last session of the week.

(k) The Headmaster shall check and initial all terminal summaries.

3. Where two classes are taught by one teacher, one register may be kept, showing the two classes separately on each page.

## SCHEDULE C

A school cash book will show every item of receipt and expenditure of school money coming into the possession of the Headmaster in accordance with the following instructions and example :—

- (a) One side of each double page will show every sum of money received ;  
 (b) The other side will show every amount paid out ;  
 (c) Receipts and receipted bills will be filed in the numerical order shown in the cash book ;  
 (d) At the end of every month a total of receipts and a total of payments will be made. The balance available will be entered at the start of each month.

## Example of Cash Book

RECEIPTS				PAYMENTS				
Date	Received from	No. of Receipt issued	£ s d	Date	Quantity	Article	No. of Receipt received	£ s d
1-2-1957	Balance brought forward ... ..	—	1 7 3	7-2-1957	4	Boxes white chalk ... ..	5	1 0 0
10-2-1957	Management Committee for purchase of sundries ... ..	B 762	10 0 0	10-2-1957	10	Sheets brown paper ... ..	6	0 3 4
				18-2-1957	24	Spoons ... ..	7	2 8 0
				25-2-1957	10	Yards coloured ribbon ... ..	8	0 7 6
						Balance ... ..	—	7 8 5
	Total ... ..	...	£ 11 7 3			Total ... ..	...	£ 11 7 3

MADE at Ibadan this 9th day of April, 1957.

J. A. OLA, ODEBAYI,  
 Minister of Education

## W.R.L.N. 95 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF WARRI DIVISIONAL COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 18TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Warri Divisional Council) Order, 1957. Short title.
2. The Warri Divisional Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following— Composition of education committee.
  - (a) a chairman ;
  - (b) six council members ; and
  - (c) five private members.
  - (2) (a) The Chairman and the six council members shall be members of the local education authority and shall be appointed by it.
  - (b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
  - (3) Of the private members—
    - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
    - (b) three shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies ;
    - (c) one shall be appointed to represent women's interests.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Warri Divisional Council. Tenure of office of members of committee.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general local election to the Warri Divisional Council, occurring next after his appointment.

(3) The seat of a private member of the education committee shall become vacant—

(a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) If he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from office any member of the education committee appointed under sub-paragraph (3) (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are proprietors of schools situate in the area of authority of the Warri Divisional Council.

MADE at Ibadan the 5th day of April, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 28th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

**W.R.L.N. 96 of 1957**

*The Education Law, 1954 (No. 6 of 1955)*

**THE LOCAL EDUCATION AUTHORITY (APPOINTMENT  
OF IBADAN DISTRICT COUNCIL) (AMENDMENT)  
ORDER, 1957**

DATE OF COMMENCEMENT : 18TH APRIL, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority Short title.  
(Appointment of Ibadan District Council) (Amendment) Order, 1957.

2. The Local Education Authority (Appointment of Ibadan District Council) Order, 1956 is hereby amended by deleting the expression W.R.L.N.  
325 of 1956.  
"the Ibadan District Council" wherever it appears and substituting therefor the following expression—

"the Ibadan (Provisional) District Council".

MADE at Ibadan the 16th day of March, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above order.

DATED the 28th day of March, 1957.

A. O. ADEYI,  
*Minister of Local Government*

W.R.L.N. 97 of 1957

*The Native Courts (Colony) (Jurisdiction in Rating Offences)  
Order in Council, 1957*

DATE OF COMMENCEMENT : 18TH APRIL, 1957

In exercise of the powers conferred upon the Governor in Council by section 10 of the Native Courts (Colony) Ordinance, the following Order is hereby made :—

- Short title.           1. This Order in Council may be cited as the Native Courts (Colony) (Jurisdiction in Rating Offences) Order in Council, 1957.
- Jurisdiction in respect of rating offences.       2. Subject to the provisions of paragraph 3, all native courts in the Colony Province shall have jurisdiction to enforce within the local limits of their jurisdiction the provisions of sections 251, 252, 253 and 254 of the Local Government Law, 1957.
- Court limited to punishment authorised by warrant.   3. A native court in exercise of the jurisdiction conferred by this Order in Council may impose a penalty not greater than the maximum penalty it is authorised by warrant to impose in criminal causes other than praidial larceny.

MADE in Council this 12th day of April, 1957.

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 98 of 1957

*The Native Courts Ordinance (Cap. 142)*

## THE NATIVE COURTS (JURISDICTION IN RATING OFFENCES) ORDER IN COUNCIL, 1957

DATE OF COMMENCEMENT : 20TH APRIL, 1957

In exercise of the powers conferred upon the Governor in Council by section 12 of the Native Courts Ordinance, the following Order is hereby made :—

- |  |  |
|--|--|
| 1. This Order in Council may be cited as the Native Courts (Jurisdiction in Rating Offences) Order in Council, 1957.   | Short title.                                       |
| 2. Subject to the provisions of paragraph 3 all native courts throughout the Region, other than native courts in the Colony Province, shall have jurisdiction to enforce within the local limits of their jurisdiction the provisions of sections 251, 252, 253 and 254 of the Local Government Law, 1957. | Jurisdiction in respect of rating offences.        |
| 3. A native court in exercise of the jurisdiction conferred by this Order in Council may impose a penalty not greater than the maximum penalty it is authorised by warrant to impose in criminal causes other than praedial larceny.   | Court limited to punishment authorised by warrant. |

MADE in Council this 12th day of April, 1957.

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*



**W.R.L.N. 99 of 1957***The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 25TH APRIL, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Justice and Local Government) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

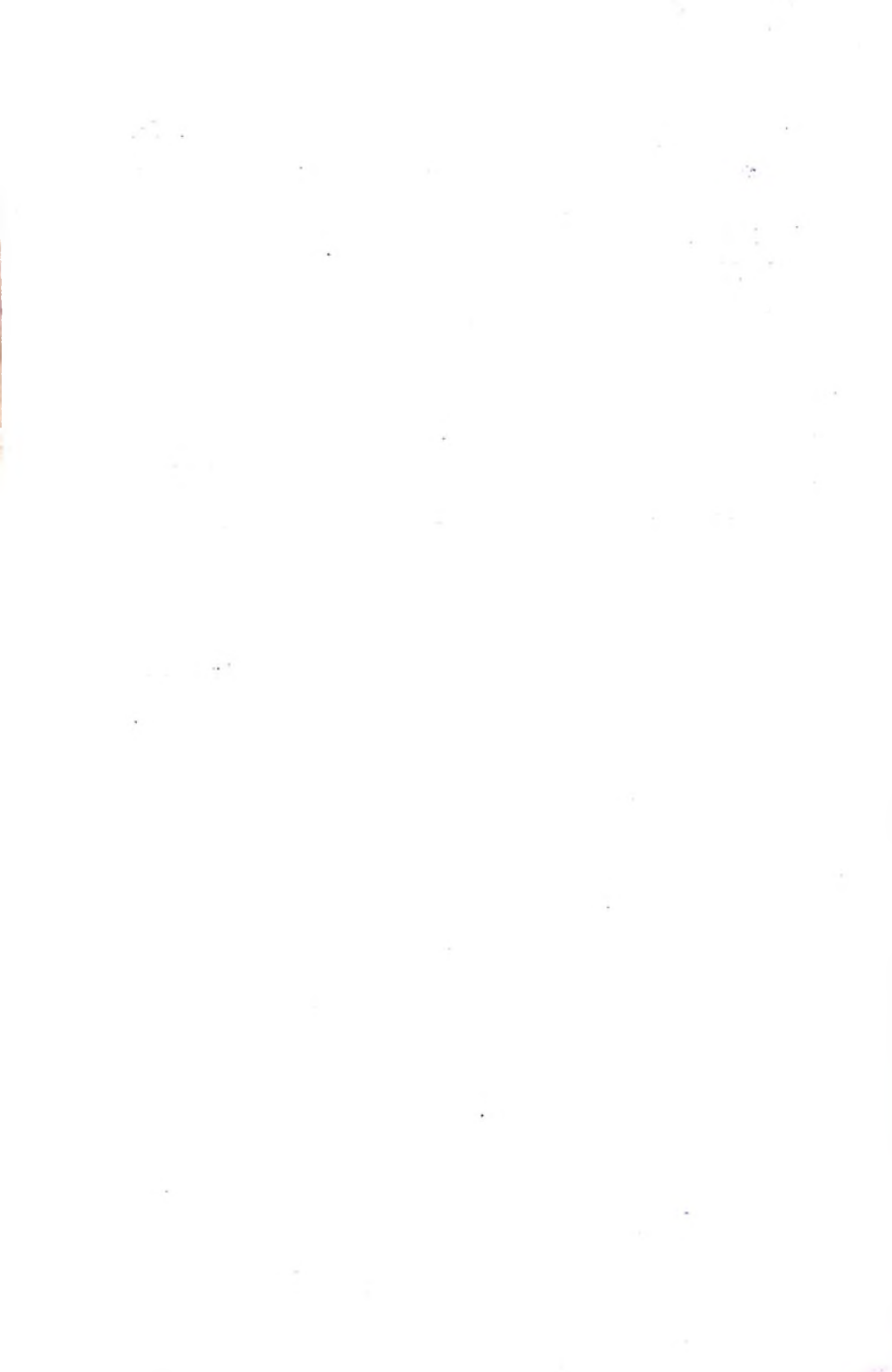
## SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Minister of Justice and Local Government.	Minister of Local Government.

GIVEN at Ibadan this 16th day of April, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*



W.R.L.N. 99 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 25TH APRIL, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Justice and Local Government) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

## SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Minister of Justice and Local Government.	Minister of Local Government.

GIVEN at Ibadan this 16th day of April, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 100 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 25TH APRIL, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Development) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

*Column 1*

Minister of Development.

*Column 2*

Minister of Agriculture and Natural Resources.

GIVEN at Ibadan this 16th day of April, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 101 of 1957***Parliamentary and Local Government Electoral  
Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 15TH APRIL, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which power have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Ikeja North ...	The Secretary/Treasurer, Ikorodu Divisional Council ... ..	Ikorodu Divisional Council Area.

2. The appointment of Mr J. A. Faji as Registration Officer, Ikorodu Divisional Council notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner, Western Region*

Ibadan, 16th April, 1957.

**W.R..N. 102 of 1957***Parliamentary and Local Government Electoral  
Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 15TH APRIL, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Ikeja North ...	The Secretary/Treasurer, Ikorodu Divisional Council ... ..	Ikorodu Divisional Council Area.

2. The appointment of Mr J. A. Faji as Electoral Officer, Ikorodu Divisional Council notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner, Western Region*

Ibadan, 15th April, 1957.

**W.R.L.N. 103 of 1957**

**ORDER made under THE DOGS ORDINANCE  
(Cap. 56)**

DATE OF COMMENCEMENT : 25TH APRIL, 1957

In exercise of the powers conferred upon the Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Provincial Advisers, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Benin Government Residential Area and Benin City Area) Declaration and Prohibition Order, 1957.

2. The area consisting of the whole of Benin Government Residential Area and Benin City in Benin Division of the Benin Province is hereby declared to be a diseased area.

3. The removal of dogs to or from this area is hereby prohibited.

4. The Benin City Council for the area declared by this order to be a diseased area is hereby directed to make rules for all the matters referred to in section 15 of the Dogs Ordinance.

MADE at Benin City, this 12th day of April, 1957.

**W. FOWLER,**  
*Provincial Adviser, Benin Province*

**W.R.L.N. 104 of 1957**

***The Western Region Local Government Law, 1952  
(No. 1 of 1953)***

**MARKETS ADOPTIVE BYE-LAWS ORDER  
IKALE-IDAPOMARUN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 25TH APRIL, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikaile-Idapomarun District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 261 of 1955, the Ikaile-Idapomarun District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 29th day of December, 1956, that the Markets Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 104  
of 1956.

**R. E. BROWN,**  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 12th April, 1957.

## W.R.L.N. 105 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

## THE RATING APPEAL REGULATIONS, 1957

DATE OF COMMENCEMENT : 2ND MAY, 1957

In exercise of the powers conferred by section 183 of the Local Government Law, 1957, upon the Minister to whom responsibility for local government is assigned, the following Regulations are hereby made :—

## PART I.—INTRODUCTORY

1. These Regulations may be cited as the Rating Appeal Regulations, 1957. Citation.
2. In these Regulations unless the context otherwise requires— Interpreta-  
tion.

“the Law” means the Local Government Law, 1957 ;

“respondent” means in the case of an appeal against an assessment of income, the assessment committee, and in any other case, the rating authority ;

“the Tribunal” means each assessment appeal tribunal established under section 167 of the Law.

PART II.—GENERAL PROVISIONS AS TO PROCEEDINGS OF ASSESSMENT  
APPEAL TRIBUNALS

3. The Tribunal shall meet at such times and places as the Chairman Meetings.  
may appoint.
4. There shall preside at any sitting of the Tribunal— Presiding  
at meetings.

(a) the chairman ; or

(b) in the absence of the chairman from a sitting, such member as the Tribunal shall elect for the purpose :

Provided that no member shall preside at the hearing of an appeal who was absent at any stage of the hearing.
5. Three members of the Tribunal shall form a quorum. Quorum.
6. (1) In determining appeals the opinion of the majority of the members of the Tribunal entitled to vote thereon shall, in the event of the members disagreeing, be the decision of the Tribunal. Determina-  
tion of  
questions.

(2) In the event of an equality of votes, the chairman or other member presiding shall have a casting vote.

(3) No member shall be entitled to vote on the decision on an appeal who was not present throughout the hearing of that appeal.

## PART III.—PROCEDURE ON APPEALS

7. (1) An appeal for which provision is made by section 168 of the Law shall be brought by filing a notice in the form specified in the First Schedule with the Secretary of the rating authority. Manner of  
giving notice  
of appeal.

(2) No such notice shall be accepted for filing unless the fee prescribed in the Second Schedule is paid or is waived by the Tribunal in accordance with regulation 17.

(3) No such notice shall be accepted for filing unless it is delivered within the time allowed for an appeal by section 169 of the Law and any amount required by that section to be deposited with the rating authority has been so deposited.

**Notification of hearing.**

8. (1) The clerk of the Tribunal shall notify the appellant and the respondent of the date on which the appeal has been first listed for hearing.

(2) Such notification shall, if the appellant has specified a sufficient address for service, be given by sending notice in writing by post to that address, or, if he has not specified such address or in the opinion of the Tribunal notice sent by post to the address is unlikely to reach the appellant, by putting up notice thereof not less than seven days before the date fixed at the offices of the rating authority.

**Appearance of parties.**

9. (1) If, on the day of the hearing or at any adjournment of the appeal, the appellant does not appear the appeal shall be struck out and the assessment or valuation or the entry of the name on the roll, as the case may be, confirmed, unless the Tribunal thinks fit, for sufficient cause, to order otherwise.

(2) If, on the day of the hearing and at every adjournment of the appeal, the appellant appears, the Tribunal shall, whether any respondent appears or not, proceed to the hearing and further hearing of the appeal and shall give their decision according to the merits of the case.

(3) The Tribunal may in its discretion adjourn the hearing of an appeal from time to time.

**Order of proceedings.**

10. Where the appellant appears and has the right to be heard he shall present his case and call such witnesses and produce such other documents as he shall adduce in support of his case and the respondent, if present, shall then have the right to present his case and adduce his evidence; if the respondent adduces evidence the appellant may address the Tribunal on the whole appeal after the respondent has concluded his case.

**Evidence.**

11. (1) Subject to paragraphs (2) and (3) of this regulation, the Tribunal may hear such witnesses and receive such documentary evidence as in its opinion may assist it in determining the appeal.

(2) Evidence shall not be received by the Tribunal at the hearing of an appeal in support of a ground of appeal which has not been set out with sufficient detail, but the Tribunal may permit the particulars of any ground of appeal to be amended.

(3) A person shall not be required to answer any question or produce any document which, in accordance with the provisions of the Evidence Ordinance, he could not be required to answer or produce in proceedings before a court of law.

**Examination of witnesses.**

12. (1) The Tribunal may require any witness appearing before it to give evidence on oath which the chairman or person presiding is authorised to administer.

(2) The Tribunal may put questions to any witness.

(3) The Tribunal may call and examine any witness at the hearing of an appeal whether or not the parties consent thereto.

13. At the conclusion of the proceedings the Tribunal shall either at the same or a subsequent sitting give their decision on the appeal, and shall cause the decision to be recorded in the form of an order. Decision.

14. (1) A record of the proceedings and decisions of the Tribunal shall be kept by the Clerk of the Tribunal. Record of proceedings.

(2) Any person appealing from a decision of the Tribunal shall, upon payment of the prescribed fee in the Second Schedule, be entitled to a copy of the proceedings and order of the Tribunal in the case in question.

15. Appeals shall be heard in camera unless the Tribunal, on the application of the appellant, direct otherwise. Appeals to be heard in camera.

PART IV.—FEES

16. The fees specified in the Second Schedule shall be payable in respect of the proceedings in appeals to assessment appeal tribunals and from such tribunals to magistrates, courts that are therein mentioned. Fees.

17. (1) An assessment appeal tribunal may, if it is satisfied that there are substantial grounds of appeal, waive or remit any fee payable in respect of filing notice of appeal under regulation 7 on the grounds of the poverty of the person chargeable. Waiver of fees.

(2) A magistrate's court may, if it is satisfied that there are substantial grounds of appeal, waive or remit any fee payable in respect of filing a petition of appeal to that court, on the grounds of the poverty of the person chargeable.

PART V.—SUPPLEMENTARY

18. (1) Nothing in paragraph (1) or (2) of regulation 7 shall affect an appeal accepted for hearing before the coming into effect of these regulations. Transitional.

(2) The proceedings in any appeal which is part-heard before the Tribunal at the date of coming into effect of these regulations shall not be invalid by reason only of any non-compliance with the provisions of Part II or III.

(3) Any decision of the Tribunal before the coming into effect of these regulations shall not be invalid by reason only that the provisions of these regulations were not complied with.

FIRST SCHEDULE  
NOTICE OF RATING APPEAL

To the Rating Authority for.....

TAKE NOTICE that I.....

of.....

hereby appeal against—

\**(a)* the assessment of my income for the year of assessment .....

\**(b)* the valuation of my tenement .....

as appearing in the valuation list ;

\**(c)* the entry of my name on the roll of persons liable to pay a capitation rate prepared for the year of assessment.....

FIRST SCHEDULE—*contd.*

2. The particulars of my grounds of appeal are as follows :—

.....

.....

.....

3. My address for service is.....

Dated.....

.....  
*Signature*

\* Strike out paragraphs which do not apply.

## SECOND SCHEDULE

	£	s	d
On filing a notice of appeal under regulation 9 :			
in the case of an appeal against valuation of a tenement ... ..	0	10	0
in any other case ... ..	0	5	0
For certified copy of order of assessment appeal tribunal ... ..	0	1	0
For certified copy of other proceedings of assessment appeal tribunal per folio ...	0	0	4
On filing a petition of appeal in a magistrate's court in accordance with the Rating Appeals (Magistrates' Courts) Rules, 1957 :			
In the case of an appeal against valuation of a tenement ... ..	1	5	0
in any other case ... ..	0	10	0

MADE at Ibadan this 27th day of April, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 106 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

## THE RATING APPEALS (MAGISTRATES' COURTS) RULES, 1957

DATE OF COMMENCEMENT : 2ND MAY, 1957

In exercise of the powers conferred upon the Chief Justice of the Region by sub-section (4) of section 174 of the Local Government Law, 1957, the following Rules are hereby made :—

1. These Rules may be cited as the Rating Appeals (Magistrates' Courts) Rules, 1957, and shall apply to appeals from assessment appeal tribunals established in the Region under the provisions of the Local Government Law, 1957. Short title.

2. In these Rules—

“advocate” means a legal practitioner or, in the case of the Crown, a law officer or crown counsel ;

Interpreta-  
tion.

“appellant” means a person or authority appealing under the provisions of paragraph (a) or (b) of sub-section (1) of section 174 of the Law ;

“the court” means the magistrate’s court for the magisterial district in which the appeal tribunal exercises jurisdiction.

3. (1) An appeal shall be brought by way of petition in writing filed in the court by the appellant or his advocate. Petition of  
appeal.

(2) The petition shall state the grounds of the appeal and the relief sought and the appellant shall attach to the petition a copy of the order appealed against.

(3) No appeal shall be brought after the expiration of twenty-one days from the date of the decision of the appeal tribunal.

(4) A petition shall not be filed unless the fees prescribed by regulation made by the Minister have been paid.

(5) Every appellant shall, when entering his petition, file a copy thereof for service on the respondent.

4. (1) An appellant shall, when entering his petition, give a postal address to which notices may be sent to him. Service of  
notices on  
appellant.

(2) Where an appellant does not give a postal address, it shall be his duty to call from time to time or to send his agent to the court to collect any notices addressed to him.

(3) Any notice addressed to the postal address given by the appellant or, if he gives no address, left at the court shall be sufficiently served upon the appellant.

5. On receiving the petition and copy of order of the appeal tribunal, the court shall peruse the same and if the court considers that there is not sufficient ground for interfering, the court may dismiss the appeal summarily : provided that no appeal shall be dismissed under this rule unless the appellant or his advocate (if the court has been notified that he has an advocate) has had a reasonable opportunity of being heard in support of the same. Summary  
disposal of  
appeals.

Notice of hearing.

6. If the court decides not to dismiss the appeal summarily, it shall cause notice of the appeal and of the time and date fixed for the hearing thereof to be given to the appellant and to the respondent and shall cause the appeal to be set down for hearing.

Hearing of appeal.

7. (1) If on the day of hearing or at any adjournment of the appeal, the appellant does not appear, the appeal shall be struck out and the decision of the appeal tribunal shall be affirmed, unless the court thinks fit, for sufficient cause, to order otherwise.

(2) If on the day of hearing and at any adjournment of the appeal the appellant appears, the court shall, whether any respondent appears or not, proceed to the hearing or further hearing of the appeal and shall give judgment according to the merits of the case :

Provided that if it appears or is proved to the court that the appellant has not complied with the conditions precedent to the hearing of an appeal, the court shall dismiss the appeal.

(3) At the hearing of the appeal, the court may allow or require witnesses to be called, whether or not they gave evidence before the appeal tribunal, and may call for any document or other exhibit and may inspect any tenement and may call for and examine the records of proceedings of the appeal tribunal.

(4) The court may adjourn the hearing of the appeal from time to time.

Right of appearance.

8. At the hearing of an appeal the appellant and the respondent may appear personally or may be represented by an advocate.

Practice and procedure.

9. Subject to the express provisions of the Law and of these rules, the practice and procedure of the court in relation to an appeal from a decision of an assessment appeal tribunal shall be the same, as nearly as may be, to the practice and procedure of the court in the exercise of its civil jurisdiction as if the appellant and the respondent were respectively the plaintiff and the defendant in an action.

Order to be notified to rating authority.

10. When a decision on the appeal has been given by the court an order setting out the decision of the court shall be drawn up and a copy shall be sent by the registrar to the rating authority.

MADE at Ibadan this 26th day of April, 1957.

A. ADE. ADEMOLA,  
*Chief Justice*

## W.R.L.N. 107 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

OGBOMOSHO DISTRICT COUNCIL  
MARKETS ADOPTIVE BYE-LAWS, ORDER, 1955

DATE OF COMMENCEMENT : 2ND MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ogbomosho District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 157 of 1953, the Ogbomosho District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 5th day of January, 1957, that the Markets Adoptive Bye-Laws, 1956 be adopted substituting the following schedule for the first and second schedules thereof :—

W.R.L.N. 11  
of 1956.

“SCHEDULE B

Rent to be charged for stalls erected by the Ogbomosho District Council—

<i>Type of Stall</i>	<i>Rate per month</i>	
	<i>s</i>	<i>d</i>
Permanent ... ..	5	0
Temporary ... ..	2	6

SCHEDULE B

Rent to be charged for market plots—

For each plot—2s 6d per month.”

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 24th April, 1957.

**W.R.L.N. 108 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**IKALE IDAPOMARUN DISTRICT COUNCIL  
VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDERS, 1956**

DATE OF COMMENCEMENT : 2ND MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikale Idapomarun District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 261 of 1955, the Ikale Idapomarun District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 29th day of December, 1956, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 11  
of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 15th April, 1957.

**W.R.L.N. 109 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**BENIN RIVER LOCAL COUNCIL  
MARKETS ADOPTIVE BYE-LAWS ORDER, 1956**

DATE OF COMMENCEMENT : 2ND MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Benin River Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 178 of 1955, the Benin River Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 28th day of December, 1956, that the Markets Adoptive Bye-Laws, 1956 be adopted.

W.R.L.N. 10  
of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 12th March, 1957.

**W.R.L.N. 110 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**EKITI SOUTHERN DISTRICT COUNCIL  
VEHICLE LICENSING ADOPTIVE BYE-LAWS**

**DATE OF COMMENCEMENT : 2ND MAY, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Southern District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 2 of 1955, the Ekiti Southern District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 4th day of March, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

**W.R.L.N. 10  
of 1956.**

**R. E. BROWN,**  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 24th April, 1957.



## W.R.L.N. 111 of 1957

ORDER made under THE BUILDING LINES  
REGULATION LAW, 1957 (Cap. 24)

DATE OF COMMENCEMENT: 9TH MAY, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made:—

1. This Order may be cited as the Building Lines (Amendment No. 1) Order, 1957.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Delta Province".

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

## SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
182	Sapele-Warri ...	0+ 0 yard	1+ 557 yards	50 feet	50 feet	Sapele Township
182	Sapele-Warri ...	29+ 178 yards	31+ 788 yards	50 feet	50 feet	Warri Township

MADE by the Minister of Works at Ibadan this 29th day of April, 1957.

V. H. WARREN,  
Acting Permanent Secretary,  
Ministry of Works

## W.R.L.N. 112 of 1957

ORDER made under THE BUILDING LINES  
REGULATION LAW, 1957 (Cap. 24)

DATE OF COMMENCEMENT : 9TH MAY, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Building Lines (Amendment No. 2) Order, 1957.

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Benin Province".

## SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
155	Ibadan-Benin-Asaba	277+ 576 yards	278+ 300 yards	100 feet	100 feet	Agbor Township

MADE by the Minister of Works at Ibadan this 29th day of April, 1957.

V. H. WARREN,  
Acting Permanent Secretary,  
Ministry of Works

## W.R.L.N. 113 of 1957

*ORDER made under THE BUILDING LINES  
REGULATION LAW, 1957 (Cap. 24)*

DATE OF COMMENCEMENT : 9TH MAY, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Building Lines (Amendment No. 3) Order, 1957.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Ijebu Province".

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
127	Abeokuta—Ijebu-Ode	37+ 1,333 yards	39+ 0 yards	50 feet	50 feet	Iperu Town

MADE by the Minister of Works at Ibadan this 29th day of April, 1957.

V. H. WARREN,  
*Acting Permanent Secretary,  
Ministry of Works*

## W.R.L.N. 114 of 1957

ORDER made under THE BUILDING LINES  
REGULATION LAW, 1957 (Cap. 24)

DATE OF COMMENCEMENT : 9TH MAY, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Building Lines (Amendment No. 4) Order, 1957.

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Ondo Province".

## SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
155	Ibadan-Benin-Asaba	126	128	50 feet	50 feet	Akure Town

MADE by the Minister of Works at Ibadan this 29th day of April, 1957.

V. H. WARREN,  
Acting Permanent Secretary,  
Ministry of Works

**W.R.L.N. 115 of 1957***The Western Region Local Government Law, 1952*  
(No. 1 of 1953)THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1956  
BENIN RIVER LOCAL COUNCIL

DATE OF COMMENCEMENT : 9TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Benin River Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 178 of 1955, the Benin River Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 28th day of December, 1956, that the Control of Pigs Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
12 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 25th April, 1957.

**W.R.L.N. 116 of 1957***The Western Region Local Government Law, 1952*  
(No. 1 of 1953)THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1956 : ISHARA LOCAL COUNCIL

DATE OF COMMENCEMENT : 9TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ishara Local Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 76 of 1953, the Ishara Local Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 9th day of March, 1957, that the Control of Drumming Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
13 of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 25th April, 1957.



## W.R.L.N. 117 of 1957

ORDER made under NIGERIA TOWN AND COUNTRY  
PLANNING ORDINANCE (Cap. 155)

DATE OF COMMENCEMENT : 16TH MAY, 1957

In exercise of the powers conferred by section 10 (1) of the Nigeria Town and Country Planning Ordinance, the following Order is hereby made by me.

1. This Order may be cited as the Ikeja Town Planning (Declaration of Planning Areas) Order, 1957. Short title.
2. The areas described in the Schedule hereto are hereby declared to be Planning Areas. Declaration of planning areas.

## SCHEDULE

## AREA No. 1

Starting at the place where Ogudu Creek flows into the Lagos Lagoon, up the said Ogudu Creek to the village of Ogudu ; thence following the main motor road from Ogudu to the village of Hausa ; thence following the path in a northerly direction to the village of Agidir gbi ; thence along the path in a northerly direction through the village of George to Aguda ; thence in a westerly direction through the villages of Oniwaya, Lakeru, Shomefun, Kuferiji to a point on the Lagos-Abeokuta main road  $14\frac{1}{2}$  miles from Lagos ; thence on a bearing of approximately  $218^\circ$  for an approximate distance of 3,000 feet to the village of Agege ; thence in a southerly direction along the paths through Ajafojo, Tanko, Kadara, Ladipo, Osho, Ewu, Isolo to Ishaga ; thence in an easterly direction following the course of the old moat called Odi-Olowo to its intersection with the West Boundary of the Urban District of Lagos ; thence due north along the said boundary of the Urban District of Lagos, an approximate distance of 730 feet, to a concrete beacon marked L.C.S. 926P ; thence following the North Boundary of the Urban District and Township of Lagos due East to the Lagoon ; thence following the forshore of the Lagoon to the point of commencement.

## AREA No. 2

The area contained within a strip of half mile in width on each side of the Lagos-Ikorodu road measured from the centre line of that road and extending from the point at which that road is cut by the boundary of area No. 1 to the point at which it meets the Agboyi Creek.

MADE at Ibadan this 29th day of April, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

**W.R.L.N. 118 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE ILESHA URBAN DISTRICT COUNCIL VEHICLE  
LICENSING ADOPTIVE BYE-LAWS ORDER, 1956**

DATE OF COMMENCEMENT : 16TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ilesha Urban District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 114 of 1954, the Ilesha Urban District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 8th day of April, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted

W.R.L.N. 11  
of 1956.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 3rd May, 1957.

**W.R.L.N. 119 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957—ILESHA URBAN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 16TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ilesha Urban District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 114 of 1954, the Ilesha Urban District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 8th day of April, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957 be adopted.

W.R.L.N. 55  
of 1957.

R. E. BROWN,  
*Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 6th May, 1957.

**W.R.L.N. 120 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE REGISTRATION OF MARRIAGES ADOPTIVE BYE-LAWS  
ORDER, 1957—ASABA URBAN DISTRICT COUNCIL**

**DATE OF COMMENCEMENT : 16TH MAY, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Asaba Urban District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 20 of 1954, the Asaba Urban District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 9th day of February, 1957, that the Registration of Marriages Adoptive Bye-laws, 1957 be adopted. W.R.L.N. 4  
of 1957.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

**Ibadan, 6th May, 1957.**

**W.R.L.N. 121 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 16TH MAY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the delegation of the functions of the Minister of Development to the Minister of Agriculture and Natural Resources, notified by the Delegation of Functions (Minister of Development) Notice, 1957, has been revoked.

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

**W.R.L.N. 122 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 16TH MAY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following notification is made :—

1. This Notice may be cited as the Delegation of Functions (the Premier) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

*Column 1*  
The Premier

*Column 2*  
Minister of Development.

GIVEN at Ibadan this 6th day of May, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 123 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1956  
EGBA-IFO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 23RD MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba-Ifo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 169 of 1955, the Egba-Ifo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 10th day of April, 1957, that the Markets Adoptive Bye-Laws, 1956 be adopted, substituting the following Schedule for the First Schedule thereof :—

W.R.L.N. 10  
of 1956.

## FIRST SCHEDULE

	£	s	d
(a) On application for a plot or stall ... ..	0	2	0
(b) For stalls (not exceeding 12' x 10') owned or maintained by the Council—			
Monthly ... ..	0	3	6
Yearly ... ..	1	10	0
(c) For any other stalls (including a stall erected by the person selling or trading)—			
Monthly ... ..	0	3	0
Yearly ... ..	1	10	0
Squatters Licence per day ... ..	0	0	1
(d) Meat Stalls—			
Monthly ... ..	0	5	0
Yearly ... ..	2	0	0

R. E. BROWN,  
Permanent Secretary,  
Ministry of Justice and Local Government

badan, 15th May, 1957.

## W.R.L.N. 124 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE ASABA URBAN DISTRICT COUNCIL  
MARKET ADOPTIVE BYE-LAWS ORDER, 1956

DATE OF COMMENCEMENT : 23RD MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Asaba Urban District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 20 of 1954, the Asaba Urban District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 20th day of November, 1956, that the Markets Adoptive Bye-Laws, 1956 be adopted substituting the following for the First Schedule thereof :—

W.R.L.N. 10  
of 1956.

## FIRST SCHEDULE

STALLAGES						Per stall per month
Open permanent stall	...	...	...	...	...	0 5 0
Open temporary stall	...	...	...	...	...	0 2 0
Open semi-permanent stall	...	...	...	...	...	0 3 0
Lock-up permanent stall (Block 1)	...	...	...	...	...	1 5 0
Lock-up permanent stall (Block 2)	...	...	...	...	...	0 15 0
Meat stall	...	...	...	...	...	1 0 0
Eating house	...	...	...	...	...	1 15 0
In respect of any authorised vacant space (not occupied by stalls) used for exposing goods for sale or carrying on any trade or business.						
For each market day...	...	...	...	...	...	0 0 1

R. E. BROWN,  
Permanent Secretary,  
Ministry of Justice and Local Government

Ibadan, 15th May, 1957.

**W.R.L.N. 125 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

THE EGBA-IFO DISTRICT COUNCIL  
MOTOR PARK ADOPTIVE BYE-LAWS

DATE OF COMMENCEMENT : 23RD MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba-Ifo District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 169 of 1955, the Egba Ifo District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 10th day of April, 1957, that the Motor Park Adoptive Bye-laws, 1957 be adopted.

W.R.L.N. 55  
of 1957.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 14th May, 1957.

**W.R.L.N. 126 of 1957**

*The Western Region Local Government Law, 1957  
(No. 12 of 1957)*

NORTH-EAST ISHAN DISTRICT COUNCIL  
MARKETS ADOPTIVE BYE-LAWS, 1956

DATE OF COMMENCEMENT : 23RD MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the North-East Ishan District Council by section 82 of the Western Region Local Government Law, 1957, and by Western Region Legal Notice 214 of 1955, the North-East Ishan District Council in accordance with section 82 of the said Law has resolved at its meeting held on the 12th day of April, 1956, that the Markets Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 10  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 15th May, 1957.

## W.R.L.N. 127 of 1957

*The Teachers (General Provisions) Regulations, 1956*

## DELEGATION OF POWERS

DATE OF COMMENCEMENT : 23RD MAY, 1957

In exercise of the powers conferred upon me by section 3 of the Education Law, 1954, I do hereby delegate to the public officers set out in the third column of the Schedule hereto the powers set out in the second column opposite to the said officers which said powers are conferred upon me by the regulations in the Teachers (General Provisions) Regulations, 1956, set out in the first column.

## SCHEDULE

<i>Regulation</i>	<i>Powers conferred</i>	<i>Officers</i>
19 (b)	Approval for holders of the Teachers' Grade II Certificate to teach in certain classes in secondary modern schools, secondary schools and teacher training colleges.	An Assistant Director of Education.
21 (b)	Approval for trained but uncertificated teachers to teach in class six of a primary school.	Senior Education Officers (Provincial).
22 (b)	Approval for uncertificated teachers to teach in classes above class four in primary schools.	An Assistant Director of Education.

MADE at Ibadan this 13th day of May, 1957.

J. A. OLA. ODEBIYI  
*Minister of Education*

## W.R.L.N. 128 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE SCHOOLS AND INSTITUTIONS (EXAMINATION  
FEES) REGULATIONS, 1957

DATE OF COMMENCEMENT : 23RD MAY, 1957

In exercise of the powers conferred upon the Minister of Education by sections 29 (e) and 76 (b) of the Education Law, 1954, and after consultation with the Regional Board of Education, the following Regulations are hereby made :—

1. These Regulations may be cited as the Schools and Institutions **Citation.**  
(Examination Fees) Regulations, 1957.
2. The fees to be paid by entrants to certain examinations shall be as **Fees to be**  
specified in the Schedule to these regulations. **charged.**

## SCHEDULE

	£	s	d
1. <i>Teachers' Grade II Examinations :</i>			
(i) Internal candidates (in final year of four-year course)	1	0	0
(ii) Internal candidates (in final year of post-secondary of post-Grade III course) ... ..	5	0	0
(iii) Internal referred candidates (for each attempt, independent of the number of subjects) ... ..	1	5	0
(iv) External candidates, Part I ... ..	4	0	0
(v) External candidates, Part II ... ..	4	0	0
(vi) External referred candidates, Part II (for each attempt)	4	0	0
2. <i>Teachers' Grade III Examination :</i>			
(i) Internal candidates (in final year) ... ..	1	0	0
(ii) Referred candidates ... ..	0	10	0
3. <i>Secondary Modern Schools Examinations :</i>			
All candidates ... ..	0	10	0
4. <i>Primary School Leaving Certificate :</i>			
All candidates ... ..	0	2	6

MADE at Ibadan this 10th day of May, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

**W.R.L.N. 129 of 1957**

*The Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

**ORDER DECLARING A PIONEER INDUSTRY**

DATE OF COMMENCEMENT : 23RD MAY, 1957

WHEREAS representations have been received pursuant to sub-section (f) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

- Short title. 1. This Order may be cited as the Aid to Pioneer Industries (No. 1) Order, 1957.
- Declaration. 2. It is hereby declared that—  
(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and  
(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

**SCHEDULE**

<i>Industry</i>	<i>Products</i>
Manufacture of pharmaceuticals	Pharmaceuticals.

*Secretary to the Council of Ministers*

Lagos,

1957.

## W.R.L.N. 130 of 1957

*Co-operative Societies Regulations (No. 6 of 1936)*

## CO-OPERATIVE SOCIETIES AUDIT AND SUPERVISION FEES

DATE OF COMMENCEMENT : 23RD MAY, 1957

In exercise of the powers conferred upon the Registrar by regulation 19 of the Co-operative Societies' Regulations, 1936 (No. 6 of 1936), the following Order is hereby made :—

1. This Order may be cited as the Co-operative Societies (Audit and Supervision Fees) Order, 1957.

2. In this Order "income turnover" includes—

(a) in a trading or marketing or manufacturing Society, all receipts on account of sales, commissions, rent, membership and entrance fees, interest and dividends ; and

(b) in a non-trading society, all receipts on account of savings, deposits, borrowings, loan repayments, commissions, rent, membership and entrance fees, interest and dividends.

3. (1) The Audit and Supervision Fees specified in the Schedule to this Order shall be due and payable in respect of each financial year to the Co-operative Union of Western Nigeria Limited by all Co-operative Societies in the Western Region of Nigeria :

Provided that the Registrar shall have powers, in his discretion, to reduce the fees payable by any Society or any Association or Union of Societies.

(2) For the purposes of this Order, the expression "financial year" means a period of twelve months beginning on the 1st of April.

4. The fees prescribed in this Order shall be calculated on the certified income turnover of the Society, Union or Association on the 31st March preceding the date prescribed for payment in the notice to pay issued by the Co-operative Union of Western Nigeria Limited.

5. This Order shall be deemed to have come into force on the 1st of April, 1956. Until that date the Audit and Supervision Fees payable annually by all Co-operative Societies shall be as prescribed in the Schedule to Western Region Public Notice No. 104 of 1953, which is hereby revoked.

## SCHEDULE

<i>Type of Society</i>	<i>Amount of Audit and Supervision Fees payable annually</i>
Primary ... ..	3s 2d per £100 of Income turnover with a maximum assessment of £50.
Secondary ... ..	2s 1d per £100 of Income turnover with a maximum assessment of £250.
Central Financing and Trading Organisations with area of operations extending to the whole of the Western Region.	4s 2d per £100 of Income turnover with a maximum assessment of £1,500.

E. I. PRICE,  
*Registrar of Co-operative Societies,*  
*Western Region*

Ibadan, 18th March, 1957.



**W.R.L.N. 131 of 1957***The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 30TH MAY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Lands and Labour) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

## SCHEDULE

*Column 1*

Minister of Lands and Labour

*Column 2*

Minister of Health

GIVEN at Ibadan this 23rd day of May, 1957.

By His Excellency's Command,

A. HOLDEN,  
Secretary to the Premier  
and Executive Council

**W.R.L.N. 132 of 1957**

*The Waterworks Ordinance (Cap. 227)*

**THE WATERWORKS (IJBEBU REMO GENERAL WATER RATE)  
ORDER, 1957**

DATE OF COMMENCEMENT : 30TH MAY, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made:—

- Short title. 1. This Order may be cited as the Waterworks (Ijebu Remo General Water Rate) Order, 1957, and shall apply to the Ijebu Remo Rating Authority area.
- Levy of general water rate. 2. Subject to paragraph 3 of this Order, an annual general water rate of fifteen shillings is hereby levied on all male and female persons of or over sixteen years of age resident within the areas of jurisdiction of Offin (Shagamu), Makun (Shagamu), Iperu, Ogere, Ode-Remo, Ishara, Ikenne and Ilishan Local Councils, excepting those residing in Ogijo, Emuren and Iraiye Villages under the jurisdiction of the Offin (Shagamu) Local Council.
- Exemptions. 3. The following persons or classes of persons shall be exempted from the general water rate imposed by paragraph 2 of this order :—  
(a) adults of or over sixteen years of age who are not natives of Ijebu Remo and who do not reside in or own tenements within the Ijebu Remo Rating Authority area.  
(b) students in full time attendance at any School, College or training centre.  
(c) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence.  
(d) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance.  
Provided that no more than eight persons shall be exempted in respect of any one tenement.
- Rate to be payable in advance. 4. The General water rate imposed by this Order shall be payable yearly in advance on or before the first day of April, and the first payment shall be deemed to have become due on the first day of April, 1957.

MADE at Shagamu this 16th day of May, 1957 by the Ijebu Remo Divisional Council's order.

ADE. AIYEOLA, AFOLU II  
*Chairman,*  
*Ijebu Remo Divisional Council*

M. S. AWOLESI, ERINWOLE II  
*President,*  
*Ijebu Remo Divisional Council*

S. T. A. OKUSANYA,  
*Secretary,*  
*Ijebu Remo Divisional Council*

APPROVED by the Minister of Local Government this 21st day of May, 1957.

A. O. ADEYI,  
*Minister of Local Government,*  
*Western Region*

**W.R.L.N. 133 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1956  
IKARE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 30TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikare District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 149 of 1954, the Ikare District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 23rd day of February, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 15  
of 1956.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 23rd May, 1957.

**W.R.L.N. 134 of 1957**

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE REGISTRATION OF MARRIAGES ADOPTIVE  
BYE-LAWS ORDER, 1957  
IKARE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 30TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikare District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 149 of 1954, the Ikare District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 23rd day of February, 1957, that the Registration of Marriages Adoptive Bye-laws, 1957 be adopted.

W.R.L.N. 4  
of 1957.

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 23rd May, 1957.

**W.R.L.N. 135 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**CONTROL OF PIGS BYE-LAWS ORDER, 1956  
ILAJE DISTRICT COUNCIL**

**DATE OF COMMENCEMENT : 30TH MAY, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Ilaje District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 264 of 1955, the Ilaje District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 7th and 8th day of February, 1957, that the Control of Pigs Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 1  
of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 22nd May, 1957.

**W.R.L.N. 136 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS  
ORDER, 1956 : ILAJE DISTRICT COUNCIL**

**DATE OF COMMENCEMENT : 30TH MAY, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Ilaje District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 264 of 1955, the Ilaje District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 7th and 8th day of February, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956 be adopted.

W.R.L.N. 11  
of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 22nd May, 1957.

## W.R.L.N. 137 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS, 1956  
EKAMARUN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 30TH MAY, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekamarun District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Legal Notice 123 of 1955, the Ekamarun District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 1st day of April, 1957, that the Control of Drumming Adoptive Bye-Laws, 1956 be adopted with the following Schedules substituted for the First and Third Schedules of 1956. W.R.L.N. 13  
thereof :

FIRST SCHEDULE

Sakara	Batakoto
Kete or Agasa	Apala
Konkoma or Manbo	Juju
Iya Ilu or Dundun	Ashiko
Ajegidi	Reso
Gbedu	Igoro
Asologun	Igbudu
Ughoro	Aluboge
Ijebu	Origbo
Are	Ogbele

THIRD SCHEDULE

<i>Description of Drum</i>	PERIOD I		PERIOD II	
	<i>For any period between 6 a.m. to 6 p.m.</i>		<i>For any period between 6 p.m. to 6 a.m.</i>	
	<i>s</i>	<i>d</i>	<i>s</i>	<i>d</i>
Sakara ... ..	5	0	7	6
Kete or Agasa ... ..	5	0	7	6
Konkoma or Manbo ... ..	5	0	7	6
Iya Ilu or Dundun... ..	5	0	7	6
Ajegidi ... ..	5	0	7	6
Gbedu ... ..	5	0	7	6
Asologun ... ..	5	0	7	6
Ughoro ... ..	5	0	7	6
Ijebu ... ..	5	0	7	6

THIRD SCHEDULE—*contd.*

<i>Description of Drum</i>	PERIOD I		PERIOD II	
	<i>For any period between 6 a.m. to 6 p.m.</i>		<i>For any period between 6 a.m. to 6 p.m.</i>	
	<i>s</i>	<i>d</i>	<i>s</i>	<i>d</i>
Are ... ..	5	0	7	6
Batakoto ... ..	5	0	7	6
Apala ... ..	5	0	7	6
Juju... ..	5	0	7	6
Ashiko ... ..	5	0	7	6
Reso ... ..	5	0	7	6
Igoro ... ..	5	0	7	6
Igbudu ... ..	5	0	7	6
Aluboge ... ..	5	0	7	6
Origbo ... ..	5	0	7	6
Ogbele ... ..	5	0	7	6

R. E. BROWN,  
*Permanent Secretary,  
 Ministry of Justice and Local Government*

Ibadan, 16th May, 1957.

**W.R.L.N. 138 of 1957***ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)*

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

1. This Order may be cited as the Niger Lands (Divesting) No. 1 Order, 1957. Short title.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument Number 7 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette*. Abandonment of title to vested trust land.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

**W.R.L.N. 139 of 1957***ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)*

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

1. This Order may be cited as the Niger Lands (Divesting) No. 2 Order, 1957. Short title.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument Number 66 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in those parcels of land referred to in the schedule hereto. Abandonment of title to vested trust land.

**SCHEDULE**

All those parcels of land in the Ishan Division, Benin Province, Nigeria, described in Instruments Numbers 46 and 47 in the First Schedule to the Niger Lands Transfer Ordinance.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

**W.R.L.N. 140 of 1957**

**ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)**

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

Short title.        1. This Order may be cited as the Niger Lands (Divesting) No. 3 Order, 1957.

Abandon-  
ment of title  
to vested  
trust land.        2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument Number 46 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette*.

MADE this 30th day of May, 1957.

AYO. OKUSAGA,  
*Minister of Lands and Labour*

## W.R.L.N. 141 of 1957

ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :

1. This Order may be cited as the Niger Lands (Divesting) No. 4 Order, 1957. Short title.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument No. 47 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in those parcels of land referred to in the schedule hereto as Parcels A and B. Abandonment of title to vested trust land.

## SCHEDULE

## PARCEL A

All that parcel of land on the Right Bank of the River Niger at Agenebode in the Afenmai Division, Benin Province, containing an area of approximately 2.045 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B.B. 2044, the co-ordinates of which are 44.48 feet North and 331.86 feet East of A.C.S. 1, the origin of Agenebode Cadastral Surveys, thence bounded by straight lines the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B.B. 2044	11° 28'	299.0 feet	P.B.B. 2049
P.B.B. 2049	106° 13'	298.9 feet	P.B.B. 2050
P.B.B. 2050	191° 27'	299.0 feet	P.B.B. 2051
P.B.B. 2051	286° 13'	299.0 feet	P.B.B. 2044

(the starting point)

All bearings are referred to True North.

All bearings and measurements are approximate.

All beacons are concrete pillars.

## PARCEL B

All that parcel of land at Agenebode in the Afenmai Division, Benin Province, containing an area of approximately 1.28 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B. 0116 the co-ordinates of which are 29.11 feet North and 331.12 feet East of a concrete pillar marked A.C.S. 1

the origin of this survey the boundaries run in straight lines the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B. 0116	106° 50'	308.5 feet	P.B. 0117
P.B. 0117	200° 22'	249.9 feet	P.B. 0118
P.B. 0118	312° 15'	345.9 feet	P.B. 0119
P.B. 0119	27° 40'	102.9 feet	P.B. 0116

(the starting point)

All property beacons are concrete pillars.

All bearings and lengths are approximate ; and

All bearings are referred to True North.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

## W.R.L.N. 142 of 1957

ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

1. This Order may be cited as the Niger Lands (Divesting) No. 5 Order, Short title. 1957.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument Number 48 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in that parcel of land referred to in the schedule hereto.

Abandonment of title to vested trust land.

## SCHEDULE

All that parcel of land at Alabetta in the Afenmai Division, Benin Province, containing an area of approximately 4250.00 square yards the boundaries of which are described below :—

Starting at a concrete pillar marked P.B.Q. 492, the Co-ordinates of which are 352.14 feet South and 1966.21 feet East of A.C.S. 1, the Initial Station of Alabetta Surveys ; thence bounded by straight lines, the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B.Q. 492	111° 35'	255.0 feet	P.B.Q. 493
P.B.Q. 493	201° 35'	150.0 feet	P.B.Q. 494
P.B.Q. 494	291° 35'	255.0 feet	P.B.Q. 491
P.B.Q. 491	21° 35'	150.0 feet	P.B.Q. 492

(the starting point)

All bearings are referred to True North.

All bearings and measurements are approximate.

All beacons are concrete pillars.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
Minister of Lands and Labour

## W.R.L.N. 143 of 1957

ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Niger Lands (Divesting) No. 6 Order, 1957.

Abandonment of title to vested trust land.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instrument Number 57 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in those parcels of land referred to in the schedule hereto as Parcels A, B and C.

## SCHEDULE

## PARCEL A

All that parcel of land at Illushi, in the Ishan Division, Benin Province, containing an area of approximately 3.73 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B. 4246 the co-ordinates of which are 511.18 feet South and 333.97 feet East of a concrete pillar marked I.C.S. the origin of Illushi Cadastral Surveys the boundaries run in straight lines the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B. 4246	254° 48'	496.0 feet	P.B. 4245
P.B. 4245	336° 17'	328.1 feet	P.B. 4244
P.B. 4244	64° 15'	400.3 feet	P.B. 4243
P.B. 4243	145° 15'	353.3 feet	S. W. Corner of Government Store Building.
S. W. Corner of Government Store Building	137° 55'	72.8 feet	P.B. 4246

(the starting point)

All property beacons are concrete pillars.

All bearings and lengths are approximate; and

All bearings are referred to True North.

## PARCEL B

All that parcel of land at Illushi, Ishan Division, Benin Province, containing an area of approximately 8831.88 square yards the boundaries of which are described below :—

Starting at a concrete pillar marked P.B.B. 2184, the co-ordinates of which are 516.07 feet South, and 333.85 feet East of a concrete pillar marked I.C.S.

the origin of Illushi Cadastral Surveys, the boundary runs in straight lines and the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B.B. 2184	154° 29'	243.2 feet	P.B.B. 2187
P.B.B. 2187	257° 07'	376.9 feet	P.B.B. 2186
P.B.B. 2186	350° 53'	226.1 feet	P.B.B. 2185
P.B.B. 2185	74° 57'	309.1 feet	P.B.B. 2184

(the starting point)

All property beacons are concrete pillars.

All bearings and measurements are approximate.

All bearings are referred to True North.

#### PARCEL C

All that parcel of land at Uromi, in the Ishan Division, Benin Province, containing an Area of approximately 4.223 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B.B. 2421 the co-ordinates of which are 1672.28 feet North and 419.00 feet West of a concrete pillar marked C.F. "G" 256 the origin of Uromi Cadastral Surveys the boundaries run in straight lines the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B.B. 2421	256° 26'	329.7 feet	P.B.B. 2422
P.B.B. 2422	353° 27'	234.1 feet	P.B.B. 2427
P.B.B. 2427	357° 24'	299.4 feet	P.B.B. 2423
P.B.B. 2423	72° 07'	165.8 feet	P.B.B. 2424
P.B.B. 2424	46° 21'	18.2 feet	P.B.B. 2425
P.B.B. 2425	71° 36'	163.9 feet	P.B.B. 2426
P.B.B. 2426	176° 34'	570.6 feet	P.B.B. 2421

(the starting point).

All Property Beacons are concrete pillars.

All Bearings and lengths are approximate; and

All Bearings are referred to Colony North.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

## W.R.L.N. 144 of 1957

ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Niger Lands (Divesting) No. 7 Order, 1957.

Abandonment of title to vested trust land.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instruments Numbers 127 and 128 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in that parcel of land referred to in the schedule hereto.

## SCHEDULE

All that parcel of land in the Aboh Division, Delta Province, containing an area of approximately 4.530 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B.W. 2414 the co-ordinates of which are 2843.94 feet South and 2703.46 feet West of a concrete pillar marked A.C.S. the origin of Asaba-Asch Cadastral Surveys the boundary runs in straight lines, the bearings and lengths of which are as follows :—

From	Bearing	Length	To
P.B.W. 2414	31° 44'	695.7 feet	P.B.W. 2674
P.B.W. 2674	133° 11'	303.8 feet	P.B.W. 2412
P.B.W. 2412	210° 54'	610.9 feet	P.B.W. 2413
P.B.W. 2413	297° 10'	307.7 feet	P.B.W. 2414

(the starting point)

All property beacons are concrete pillars.

All bearings and measurements are approximate.

All bearings are referred to True North.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
Minister of Lands and Labour

## W.R.L.N. 145 of 1957

*ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)*

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

1. This Order may be cited as the Niger Lands (Divesting) No. 8 Order, Short title. 1957.

2. It is hereby declared that all the right, title or interest in that parcel of land referred to in Instruments Numbers 62 and 68 in the First Schedule to the Niger Lands Transfer Ordinance is abandoned with effect from the date of publication of this order in the *Western Region of Nigeria Gazette* saving and excepting all the right, title or interest in that parcel of land referred to in the schedule hereto.

Abandonment of title to vested trust land.

SCHEDULE

All that parcel of land at Asaba, in the Asaba Division, Benin Province, containing an area of approximately 64.24 acres the boundaries of which are described below :—

Starting at a concrete pillar marked P.B. 4106, the Co-ordinates of which are 3546.08 feet North and 4177.63 feet West of A.C.S. 1, the Origin of Asaba Cadastral Surveys ; thence bounded by straight lines, the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P.B. 4106	226° 11'	273.6 feet	P.B. 4107
P.B. 4107	141° 38'	395.0 feet	P.B.B. 2169
P.B.B. 2169	141° 37'	390.6 feet	P.B. 4108
P.B. 4108	236° 55'	252.6 feet	P.B.B. 2170
P.B.B. 2170	236° 54'	118.9 feet	P.B.B. 2171
P.B.B. 2171	236° 56'	355.1 feet	P.B. 4062
P.B. 4062	321° 17'	74.8 feet	P.B. 4063
P.B. 4063	328° 24'	535.5 feet	P.B.B. 2172
P.B.B. 2172	328° 24'	548.5 feet	P.B.B. 2000
P.B.B. 2000	328° 24'	55.2 feet	P.B. 4064
P.B. 4064	316° 22'	67.1 feet	P.B. 4065
P.B. 4065	306° 51'	228.2 feet	P.B.B. 2003
P.B.B. 2003	298° 59'	308.4 feet	P.B. 4066
P.B. 4066	298° 29'	577.1 feet	P.B. 4067
P.B. 4067	310° 31'	409.1 feet	P.B. 4104
P.B. 4104	35° 45'	502.4 feet	P.B.B. 2168
P.B.B. 2168	37° 38'	564.9 feet	P.B. 4105

thence on a bearing of  $37^{\circ} 38'$  for an approximate distance of 62.0 feet to a point on the low water mark on the right bank of the River Niger ; thence along the low water mark in a South easterly direction to a point on a bearing of  $46^{\circ} 11'$  and at an approximate distance of 210.0 feet from P.B. 4106 ; thence on a bearing of  $226^{\circ} 11'$  for an approximate distance of 210.0 feet to P.B. 4106, the starting point.

All bearings are referred to Colony North and all corners except those along the low water mark on the right bank of the Niger River are marked by concrete pillars. All bearings and measurements are approximate.

MADE this 17th day of May, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

## W.R.L.N. 146 of 1957

*ORDER made under THE BUILDING LINES  
LAW, 1957 (Cap. 24)*

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Building Lines (Amendment No. 5) Order, 1957.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Ibadan Province".

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
"C"	Ikirun-Northern Boundary	0	12	50'	50'	—
"C"	Iwo-Ejigbo ... ..	2	22	50'	50'	—

MADE by the Minister of Works at Ibadan this 25th day of May, 1957.

F. MARTIN-DAVIES,  
Permanent Secretary,  
Ministry of Works

## W.R.L.N. 147 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

APPOINTMENT OF LOCAL GOVERNMENT  
INSPECTORS AND ADVISERS

In exercise of the powers conferred upon the Officer Administering the Government by section 90 (1) of the Local Government Law, His Excellency has been pleased to appoint the officers mentioned in the first column of the schedule hereto to carry out the duties set opposite their respective names in the second column for the areas set out in the third column.

SCHEDULE

I. F. W. Schofield, E.D. ...	Local Government Inspector, Western Circle	The Abeokuta, Colony and Ijebu Provinces. The Ibadan and Oyo Divisions.
W. S. Smith, O.B.E., M.C. ...	Local Government Inspector, Central Circle	The Ondo Province, Ife, Ilesha and Oshun Divisions.
J. A. G. McCall ... ..	Local Government Inspector, Eastern Circle	The Benin and Delta Provinces.
Administrative Officers in charge of Divisions ...	Local Government Advisers.	The Division to which they are appointed.
All other Administrative Officers posted to Divisions.	Assistant Local Government Advisers.	The Division to which they are posted.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

31st May, 1957.

## W.R.L.N. 148 of 1957

*The Local Government Police Law, 1955*

## THE LOCAL GOVERNMENT POLICE FORCE RULES, 1957

DATE OF COMMENCEMENT : 8TH JUNE, 1957

In exercise of the powers vested in the Governor in Council by section 25 of the Local Government Police Law, 1955, the Governor in Council hereby makes the following Rules :—

## PART I.—INTRODUCTORY

1. (1) These Rules may be cited as the Local Government Police Force Rules, 1957. Short title and application.

(2) These rules shall apply to every local government police force established at the date of commencement of these rules and to every such force established thereafter.

2. In these rules unless the context otherwise requires—

“chief officer” means the officer appointed by the Council with the consent in writing of the Superintendent-General to have charge of the force ; Interpretation.

“the Council” means the local government council or joint committee in respect of which the force is established ;

“the force” means each local government police force to which these rules apply ;

“non-commissioned officer” means a police officer of the rank of sergeant-major, sergeant, corporal or lance corporal ;

“the Minister” means the Minister to whom responsibility for local government police is assigned in accordance with section 119 of the Nigeria (Constitution) Order in Council, 1954 ;

“police officer” means any member of the force ;

“the Superintendent-General” means the Superintendent-General of Local Government Police Forces.

## PART II.—EMPLOYMENT OF FORCES

3. (1) The force shall be under the general supervision and command of the chief officer.

(2) The chief officer shall be responsible to the Superintendent-General, for all matters relating to efficient administration and supervision of the force, and to the Minister and Council for the proper expenditure of all monies appropriated by the Council for the service and welfare of the force. Functions of Chief Officer.

## PART III.—GENERAL DUTIES OF POLICE

4. The force shall be employed within the area of the Council to assist in the prevention and detection of crime, the apprehension of offenders, the preservation of law and order, the protection of life and property and the enforcement of the law. Employment of force.

General duties of police officer.

5. Every police officer in the force shall perform such lawful duties as may be assigned to him by his superiors in police rank subject to the directions of the Superintendent-General.

Obtaining admission into force by fraud.

6. (1) Any person who knowingly uses or attempts to pass off any forged or false certificate of character, letter or other document for the purpose of obtaining admission into the force, or who, on applying for enlistment shall make any false answer to any question which shall be put to him by a police officer, shall be guilty of an offence, and shall be liable on conviction to imprisonment for six months.

(2) Any police officer may arrest without warrant any person whom he reasonably suspects to be guilty of an offence against this rule.

Ordinary course of Law not to be interfered with.

7. Nothing in these rules shall be construed to exempt any police officer from being proceeded against by the ordinary course of law when accused of any offence punishable under any Ordinance or Law.

Persons acquitted by court not punishable on same offence under these rules nor if convicted except by reductions.

8. (1) No person who has been acquitted by a court of any crime or offence shall be tried or suffer any punishment under these rules on account of the same charge.

(2) If any member of the force has been convicted by a court of any crime or offence, he shall not be liable to be punished for the same offence under these rules, otherwise than by reduction in rank or grade or by dismissal from the force.

#### PART IV.—RECRUITMENT AND CONDITIONS OF SERVICE

Standards for enlistment.

9. (1) Applicants for enlistment shall be selected by the chief officer or by an officer of any force designated by the Superintendent-General for the purpose.

(2) The chief officer or the designated officer may enlist any applicant who—

(a) is certified physically fit by a Government Medical Officer ; and  
(b) has educational qualifications not below Middle II or its equivalent ; and

(c) is eighteen years of age or over and under twenty-six years of age ; and

(d) is not less than 5 feet 6 inches in height ; and

(e) has an expanded chest measurement of not less than 34 inches ; and

(f) produces satisfactory written references or written testimonials which give evidence of his good character ; and

(g) has not on any occasion been convicted of any criminal offence ; and

(h) is a native of the Province where he seeks enlistment.

(3) The Minister may in any case at his discretion direct that any of the requirements for enlistment prescribed in paragraph (2) of this rule shall not apply.

(4) Applicants for enlistment shall answer the questions and make the declarations provided in the attestation sheet shown in Schedule "A".

(5) The applicant shall be informed that if he makes a false declaration he is liable to imprisonment.

10. (1) A police officer shall devote his whole time to the service of the force and shall not take part in any other trade or calling whatsoever. Conditions of service.
- (2) A police officer shall serve and reside wherever he may be directed by the Superintendent-General or Chief Officer.
11. All members of the force shall carry out the lawful commands of their superior officers and shall devote all their time and energies to carrying out their duties without fear or favour, malice or illwill, and with strict impartiality and courtesy towards the general public. Services required and conducted in performance thereof.
12. After an applicant has been selected for enlistment and has been certified as medically fit by a Government Medical Officer in the form in the Schedule he shall be required to make a declaration as in the Schedule. Attestation.
13. The finger-prints of all candidates selected for employment as police officers shall be taken and sent to the Criminal Investigation Division, Lagos, for examination. Fingerprints to be taken.
14. After enlistment the recruit's name and particulars of former service shall be entered on a service sheet, and a record of all increments, promotions, rewards, commendations, censures and punishments shall be entered upon this service sheet throughout his service. Service sheet to be taken.
15. Every police officer shall be engaged in the first instance for a period of three years. Period of engagement.
16. Any police officer of good character who has completed or is within six months of completing his period of enlistment may, with the approval of the Chief Officer, re-engage for a further period of six years and thereafter for further periods of three years until he attains the age of forty-five years and thereafter the period of re-engagement shall be one year. Re-engagement.
17. (1) The force shall consist of the following rank and file which shall take precedence in the order in which they are set out :—  
Chief Constable, Deputy Chief Constable, Assistant Chief Constable, Senior Inspectors, Inspectors, Sub-Inspectors, Sergeants-Major, Sergeants Corporals, Lance-Corporals and Constables. Composition of the force.
- (2) Constables shall be graded as First Class Constables, Second Class Constables, Third Class Constables, Recruits and Band Boys.
18. Subject to the general directions of the Superintendent-General and to rule 20, promotions within the force up to and including the rank of corporal shall be made by the chief officer, and shall take precedence accordingly. Promotion to the rank of sergeant, sergeant-major and inspector shall be made by the Superintendent-General. Promotions.
19. Provided his service is satisfactory—
- (a) a recruit shall be promoted to the rank of third class constable after six months service ; Period of service before promotion.
- (b) a constable of any grade shall be promoted to the next higher grade of constable after three years' continuous service in a grade.
20. In recognition of outstanding merit the Superintendent-General may promote any police officer at any time to any higher rank or grade in the force. Accelerated promotion.
21. If a major punishment is recorded against a police officer his eligibility for promotion shall be deferred by one year from the date of the commission of the offence, subject to revision by the chief officer in exceptional circumstances. Deferment of promotion.

Illiterate Policemen ordinarily disqualified for promotion.

22. After one year from the commencement of these rules, illiterate police officers shall not be considered for promotion to commissioned or non-commissioned rank.

Discharges.

23. A police officer may be discharged—

(a) on expiration of his current period of engagement ;

(b) on resignation, with the approval of the Chief Officer and, in the case of Inspectors and above, with the approval also of the Superintendent-General ;

(c) if he is certified by a government medical officer as unfit for further service ;

(d) with the approval of the Superintendent-General, if he is found by the chief officer to be unsatisfactory or temperamentally unsuited for work as a police officer.

Exclusion of unauthorised persons from barracks.

24. (1) All unauthorised persons shall be excluded from the Police barracks and buildings.

(2) Only those wives, children, and servants of police officers whose names have been registered with the Chief Officer and approved by him may be permitted to live in Police Barracks.

Responsibility for cleanliness of barracks.

25. Each police officer shall be responsible for the cleanliness of his portion of the barracks.

Medical treatment and sick parade.

26. (1) Any police officer who requires medical treatment shall report to the inspector or non-commissioned officer in charge of the detachment at such time as shall be appointed for the purpose.

(2) The inspector or non-commissioned officer in charge of the detachment shall cause his name to be entered in a register and may order the police officer to attend sick parade.

(3) A daily report of all ranks on sick parade shall be made to the chief officer.

Rewards and commendations.

27. Subject to the approval of the Superintendent-General, rewards and commendations may be awarded to any member of the force in recognition of exceptional service.

Actions meriting rewards and commendations.

28. Actions which fall within the ordinary duties of the police shall not merit rewards unless special zeal, intelligence, skill or courage is displayed. The special circumstances shall be set out in writing by the chief officer in each case where a commendation or a reward is recommended.

Leave.

29. Leave on full pay may be granted to police officers at the rate of fifteen days for each completed year of service. Save in exceptional circumstances accumulation of leave beyond thirty days shall not be allowed.

Sick leave.

30. A police officer shall be entitled to full pay while absent from duty on account of sickness or injury and no deduction from any leave due or accruing to him shall be made on account of such absence from duty :

Provided that, if the illness or injury is likely to continue for a period of more than three days, the chief officer shall report to the medical officer who, after examining the police officer, may recommend to the chief officer the grant of sick leave on full pay, not exceeding one month.

31. Sick leave on full pay for a period of more than one month shall not be granted except in exceptional circumstances and shall be subject to the approval of the Superintendent-General.

Sick leave not normally to exceed one month.

32. Any police officer who has a complaint shall report the matter to the chief officer who shall enquire into and decide the matter. His decision shall not debar the police officer from appealing to the Superintendent-General if he so desires.

Complaints.

#### PART V.—DISCIPLINE

33. The chief officer shall be responsible for the maintenance of discipline in the force and shall personally adjudicate in all disciplinary proceedings unless the Superintendent-General directs that another police officer of any force should do so.

Chief Officer to maintain discipline.

34. Any police officer who—

Offences.

(a) being at any assemblage tending to riot, does not use his utmost endeavour to suppress such assemblage ;

(b) having knowledge of any mutiny, or intended mutiny or sedition, delays to give information thereof to his superior officer ;

(c) strikes or offers any violence to any officer his superior in rank, such officer being in the execution of his duty ;

(d) deserts or aids or abets the desertion of any police officer from the force ; or

(e) on enlistment gives any false information which is recorded on his attestation sheet and declared to be true by him ;

shall be guilty of an offence and liable on conviction by a court of competent jurisdiction to imprisonment for six months.

35. (1) For the purposes of paragraph (d) of rule 34, being absent without leave for twenty-one days constitutes the offence of desertion.

Desertion.

(2) A police officer shall not be guilty of desertion or of attempting to desert unless the court shall be satisfied that there was an intention on the part of such police officer either not to return to the force, or to escape some particular duty.

36. Any police officer who—

Offences against discipline.

(a) is guilty of insubordination ;

(b) is guilty of disobedience of lawful orders given him by his superior in rank, whether verbally or written, or by authorised signal, or while on parade ;

(c) is disrespectful in word, act or demeanour to his superior in rank ;

(d) uses abusive or insulting language to, or quarrels with any member of the Force ;

(e) is guilty of any oppressive or tyrannical conduct towards an inferior in rank ;

(f) forces a sentry ;

(g) pawns, sells, loses by neglect, wilfully damages or fails to report any damage to any of the articles of clothing, arms, accoutrements or necessities issued to him, or any Government or Council property committed to his charge ;

(h) is inattentive on parade, or talks, signs or otherwise misbehaves himself on parade ;

- (i) is absent from or late for parade ;
- (j) parades for duty, dirty or untidy in his person, arms, clothing or accoutrements or otherwise being improperly dressed when on duty ;
- (k) is guilty of drunkenness ;
- (l) drinks any intoxicating liquor when on duty ;
- (m) enters any place licensed for the sale of spirituous liquors when on duty, except when his presence is required there in execution of his duty ;
- (n) removes his armband or duty badge when on duty or endeavours at any time to conceal or disguise his number ;
- (o) smokes when on duty ;
- (p) fails to work his beat properly, or is irregular on beat or sentry duty ;
- (q) idles or gossips or sits or lies down without cause or sleeps when on duty ;
- (r) fails to attend to any reasonable request made to him by any member of the public ;
- (s) leaves his beat, point, or other place to which he has been ordered, without sufficient or proper reason ;
- (t) being under arrest or confinement, leaves or escapes, or attempts to leave or escape from his arrest or confinement before he is set at liberty by proper authority ;
- (u) uses unnecessary violence to, or ill-uses any person in his custody ;
- (v) negligently permits a prisoner to escape ;
- (w) is guilty of neglect of any duty ;
- (x) when knowing where an offender is to be found fails to report the same or exert himself to make the offender amenable to the law ;
- (y) neglects to assist any person injured or taken ill in the street ;
- (z) omits to make any necessary entry in any official document, book or paper ;
- (aa) makes or signs any false statement in any official record or document ;
- (bb) is guilty of any prevarication before any court or at any inquiry ;
- (cc) withholds or fails to report promptly any complaint or report against any member of the force ;
- (dd) neglects or refuses to assist in the apprehension of any member of the force charged with any offence ;
- (ee) protects any person not being a police officer from his creditor under pretence of his being a police officer ;
- (ff) makes or joins in making any anonymous complaint ;
- (gg) makes any frivolous or vexatious complaint ;
- (hh) lends money to or borrows money from any member of the force ;
- (ii) corruptly accepts directly or indirectly any bribe, gratuity, present, subscription, or testimonials or other benefit ;
- (jj) incurs debt without any reasonable prospect or intention of paying the same, or having incurred any debt makes no reasonable effort to pay the same ;
- (kk) divulges any matter or thing which it is his duty to keep secret ;

(ll) conveys information directly or indirectly to any person of any warrant or summons which has been issued or is about to be issued against such person, other than in the proper execution of his duty ;

(mm) communicates to any unauthorised person matters connected with the force without leave from the police officer under whom he is serving ;

(nn) is absent without leave ;

(oo) malingers or feigns sickness without due cause, conceals any venereal or contagious disease, or neglects or fails to report the fact if he is suffering from the same ;

(pp) gambles, or permits, or fails to report gambling in a police station or barrack.

(qq) is wanting in civility to any member of the public ;

(rr) uses a taxi or public service vehicle on or off duty without paying the correct fare ;

(ss) takes any active part in politics other than recording his vote at any election in the manner provided by law ;

(tt) is a member of any trade union or secret cult ; or

(uu) is guilty of any other act, conduct, disorder, or neglect to the prejudice of good order and discipline though not therein specified ; shall be deemed to have committed an offence against discipline and shall suffer such punishment, according to the degree and nature of the offence, as may be awarded in accordance with the following provisions.

37. (1) The chief officer or other adjudicating officer may examine the truth of any charge made under the preceding rules and if his decision is against the police officer may impose on him any one of the following punishments :—

(a) in the case of an inspector—

(i) a fine not exceeding 60 shillings ;

(ii) reduction in rank or grade ;

(iii) dismissal ;

(iv) stoppage of increment ;

(v) severe reprimand ;

(vi) reprimand ; or

(vii) admonishment.

(b) in the case of other police officers—

(i) imprisonment for a term not exceeding one hundred and sixty-eight hours ;

(ii) a fine not exceeding thirty shillings ;

(iii) punishment duties up to a maximum of fourteen days of one hour each ;

(iv) reduction in rank or grade ;

(v) dismissal ;

(vi) severe reprimand ;

(vii) reprimand ; or

(viii) admonishment.

(2) No entry or record of an admonishment shall be made in the defaulter's service records.

Confirmation of certain punishments by Superintendent-General.

(3) Any sentence of imprisonment, fine of or exceeding twenty shillings, dismissal or reduction in rank or grade shall be subject to confirmation by the Superintendent-General.

(4) If it appears that the offence by reason of its gravity or by reason of previous offences would not be adequately punished under the powers set out above, the chief officer may order the accused to be tried before a Magistrate's court which may impose a fine not exceeding twenty pounds or a sentence of imprisonment for any term not exceeding six months or both such fine and imprisonment.

Appeals.

38. (1) An inspector, non-commissioned officer or constable aggrieved by any decision made or punishment imposed by the chief officer or other adjudicating officer may within seven days from the date on which the decision arrived at is communicated to him, appeal to the Superintendent-General against such decision or punishment or both.

(2) On appeal against a decision or punishment or both the Superintendent-General may—

(a) set aside the decision and punishment, or order a re-examination into the truth of the charge or direct that further evidence be taken by the adjudicating officer or by any chief officer ; or

(b) alter the decision maintaining the punishment, or with or without altering the decision, remit, mitigate, increase, or alter the punishment to any other punishment which might have been imposed for the offence ; or

(c) with or without such reduction or increase and with or without altering the decision, alter the nature of the punishment ; or

(d) where the evidence proves an offence other than that charged, and an amendment can in his opinion be made without injustice to the appellant, amend the charge and the decision and impose such punishment in substitution for the punishment imposed at the examination as in the opinion of the Superintendent-General may be appropriate for that other charge ; or

(e) confirm the decision and punishment.

Major punishments.

39. Of the punishments mentioned in the foregoing rules, the following shall be deemed to be major punishments for the purpose of rule 21—

(a) imprisonment ;

(b) reduction in rank or grade ; or

(c) a fine of or exceeding 20s.

Rehabilitation.

40. Police officers who have been punished for any offence shall be informed that the effect of such punishment can be redeemed, so that it will not interfere with their subsequent careers, by good and diligent work accompanied by satisfactory conduct.

Consequences of judicial conviction.

41. The chief officer may—

(a) subject to the approval of the Superintendent-General, reduce in rank or grade or dismiss any police officer who has been convicted by a court of any crime or offence, notwithstanding that punishment may have been imposed by the court ;

Generally unsatisfactory service by police officer.

(b) suspend, and, with the sanction of the Superintendent-General, dismiss or discharge any police officer who is negligent in the discharge of his duty or is otherwise unfit to be a police officer.

42. The chief officer or other adjudicating officer hereinbefore empowered to inquire concerning offences under these rules shall in any matter touching such inquiries have the power of summoning and examining witnesses on oath or affirmation or calling for documents in any matter before him and of adjourning any hearing from time to time. In every such inquiry where witnesses are examined on oath or affirmation the proceedings and evidence shall be recorded in writing.

Power of  
summoning  
witnesses.

43. Any sentence of imprisonment awarded by an adjudicating officer shall be served in a police cell or police guardroom and shall involve—

Carrying out  
of sentences  
of imprison-  
ment.

(a) deprivation of pay for the period of imprisonment ;

(b) attending all punishment drills, not exceeding one hour at a time, for four hours in all on the same day ; and

(c) employment on fatigue duties.

44. A chief officer may suspend any member of the force charged with any criminal offence, or with any offence under these rules, or with any other offence of whatsoever nature.

Powers of  
suspension.

45. Any member of the force who is under suspension awaiting any trial either for any offence against discipline or for any other offence of whatsoever nature, shall receive such proportion of his pay not being less than one-half as the Superintendent-General may direct :

Pay during  
suspension.

Provided that if the proceedings taken against any such member of the force do not result in his dismissal or reduction in rank or grade, he shall be entitled to the full amount of pay which he would have received if he had not been suspended.

46. No pay shall accrue to any member of the force in respect of any day during which he is absent without leave or undergoing any sentence of imprisonment.

Pay not to  
accrue  
during  
absence  
without leave  
or imprison-  
ment but to  
accrue  
during  
period of  
suspension.

#### PART VI.—CLOTHING AND EQUIPMENT

47. Each police officer shall be issued with clothing and equipment in accordance with the scale laid down by the Minister.

Issue of  
clothing and  
equipment.

48. All articles of clothing and equipment so issued shall be considered the property of the force. At the time of issue each article shall be entered in the "Service book" of the police officer concerned and he shall be personally and pecuniarily responsible for any loss or damage other than normal wear and tear.

Conditions  
of issue.

49. If any police officer makes away with, or is concerned in making away with (whether by pawning, selling, destruction or otherwise howsoever), loses by neglect or wilfully or negligently damages any arms, accoutrements, clothing or necessaries issued for the use of the force, he may, in addition to any other punishment, be ordered to make good the amount of such loss or damage by stoppage out of his pay.

Damage to  
or loss of  
equipment.

- Damage to a police vehicle. 50. If any police officer, being a driver in charge of a police vehicle, is concerned in any accident causing damage to such vehicle, and it is found after due inquiry that the accident was caused by the driver's negligence, he may, in addition to any other punishment be ordered to make good the amount of such damage by stoppages out of his pay to the limit of ten pounds.
- Delivering up of accoutrements and other property when leaving the force. 51. Every member of the force who shall be dismissed from or cease to hold or exercise his office shall forthwith deliver up to the chief officer under whom he is serving all the clothing, arms, accoutrements and Council, Government or force property which may have been supplied to him or entrusted to his care and on failing to do so shall be liable, on conviction by a court, to imprisonment for six months.
- Life of equipment. 52. Periods of duration shall be assigned to various articles of clothing and equipment with a view to informing all officers of the length of time articles are expected to remain serviceable.
- Replacement of lost or damaged equipment. 53. When clothing or equipment is lost or damaged an inquiry shall be held by the chief officer. In cases where loss or damage to any article of equipment is found to be due to negligence of a police officer he may be ordered to make good the amount of such loss or damage, having regard to the length of time the article would have been expected to remain serviceable, by stoppage out of his pay.
- Distinguishing number to be worn. 54. Every police officer shall wear on the shoulder strap of his tunic or other suitable place a distinguishing number and particulars of his number shall be given by him to anyone who asks him in a proper manner.
- Uniform to be worn on duty. 55. Police officers shall appear in uniform at all times when on duty, unless specially employed on plain clothes duty. Uniform shall not be worn when off duty.
- Store keys. 56. The keys of the police store shall be held by the officer in charge of police or in his absence by such person as he shall appoint.
- Store register. 57. A store register of all articles received and issued shall be maintained.

PART VII.—ESCORTS

- Specie escorts. 58. The strength of escorts for Government or Council Specie shall be in accordance with Financial Instructions, Chapter XII.
- Examination of receptacles. 59. The receptacles containing the specie shall be examined by the police officer in charge of the escort, who shall satisfy himself that they have not been tampered with.
- Receipt to be obtained. 60. A receipt shall be obtained by the escort from the person receiving the specie.
- Escort for prisoners. 61. The following scales shall, as far as possible, be observed in escorting prisoners—
- |                        |  |
|------------------------|--|
| 1 to 3 prisoners ...   | 2 Police officers.                             |
| 4 to 6 prisoners ...   | 1 non-commissioned officer and 2 constables.   |
| 7 to 10 prisoners ...  | 1 non-commissioned officer and 4 constables.   |
| 11 to 15 prisoners ..  | 1 non-commissioned officer and 5 constables.   |
| 16 to 25 prisoners ... | 1 non-commissioned officer and 8 constables.   |
| 26 to 50 prisoners ... | 2 non-commissioned officers and 12 constables. |

62. In the case of the escort for lunatics only the most reliable police officers shall be selected and every precaution shall be taken by the escort to prevent the lunatics from causing injury to themselves or others.

Escort for lunatics.

#### PART VIII.—POLICE REWARD AND GAMES FUND

63. (1) There shall be established for each force a fund to be called the "Police Reward and Games Fund" into which shall be paid all pay forfeited by members of the force, and fines inflicted by the chief officer, or other adjudicating officer on members of the force for offences against discipline, all fines levied for assaults on members of the force and monies realised by the sale of unclaimed property and exhibits.

Police Reward and Games Fund.

(2) Such fund shall be applied to the purpose of rewarding members of the force for extra or special services, and to the procuring of any comforts or conveniences and advantages to the members of the force which are not provided out of the revenue of the Council, and to the payment of any compassionate gratuity, which may be granted to the widows or children of any deceased members of the force.

(3) Such fund shall be administered by the Council on the advice of the Superintendent-General.

64. The Chief officer may authorise expenditure to a maximum amount of five pounds from the Police Reward and Games Fund for the funeral expenses of any member of the rank and file who dies whilst in the service of the force.

Chief Officer may authorise expenditure.

#### PART IX.—MISCELLANEOUS

65. Police officers in uniform shall recognise their superiors by such form of hand salute as the Superintendent-General may prescribe. In no case shall any form of salutation by bowing or kneeling be employed.

Saluting.

66. Subject to the provision of the Law and these rules the Superintendent-General may make Standing Orders with respect to all or any forces to which these rules apply—

Standing Orders.

(a) for the good order and discipline and the training thereof ; and

(b) in regard to dress, clothing and equipment, designation and badges of rank and police duties ;

(c) in regard to matters of departmental procedure.

67. The Minister shall determine from time to time the scale of allowances payable to members of a force.

Allowances.

68. The forms in the Schedule, or forms to the like effect, may be used in the cases to which they refer, with such variations as circumstances may require.

Forms in Schedule.

## LOCAL GOVERNMENT POLICE FORCE

## FORM A

## ATTESTATION SHEET

I, ....., an applicant seeking  
enlistment in the..... Local Government Police  
Force give my answers to the following questions :—

1. What is your full name ?.....
2. What is your present age ?.....  
*Give date of Birth if known (Birth Certificate to be produced if available)*
3. Where were you born ?.....
4. What tribe do you belong to ?.....
5. Who is your next of kin ?.....  
*(Give Name, Relationship, Address and Occupation)*
6. Where were you educated ?.....
7. What standard of education have you reached ?.....
8. What is your present occupation ?.....
9. Have you ever been in any employment ? If so give particulars, dates and reason  
for leaving.....
10. Have you ever been in prison ?.....  
If so, why ?.....
11. Have you ever been convicted of any criminal offence ? If so give particulars.....
12. Have you ever suffered from any serious illness ? If so give particulars.....
13. Are you engaged in or connected with any commercial undertaking whatsoever ?  
If so give particulars.....
14. Are you in debt to anyone ? If so, give particulars.....
15. Are you a judgment debtor ? Or are there any writs for debt outstanding against you ?  
If so give particulars.....
16. Are you married ? If so state number of wives and their names.....
17. Have you any children ? If so give names, sex and ages.....

I, ..... hereby declare that the replies given by me to the above questions and recorded hereon are true. I understand that if any of my replies to these questions are subsequently proved to be false I am liable to imprisonment for a period of six months.

Signature of Witness ..... Signature of Recruit .....

Date.....

Place.....

*Left*

*Right*



I certify that the above declarations have been made before me and signed (or marked) in my presence and that recruit..... (name) understands the nature of the questions asked and that his replies have been correctly recorded hereon.

Date.....

Place.....

*Chief Officer*

FORM B

**MEDICAL CERTIFICATE**

I hereby certify that I have examined.....

1. His height is.....feet.....inches
2. His unexpanded chest measurement is.....inches
3. His vision is—right eye..... left eye.....
4. His hearing is.....
5. He has distinctive marks or scars as follows :—

.....  
.....

He suffers from no deformities other than.....and

I find him physically and mentally fit for service with the.....

.....Local Government Police Force.

Date.....

Place.....

*Medical Officer*

FORM C  
RE-ENGAGEMENT

I have examined..... and find him.....  
for further service in the..... Local Government  
Police Force.

Date.....

Place.....

*Medical Officer*

I,....., hereby agree to re-engage for a further  
period of..... years from..... 19..... and under the same  
conditions of service.

Date.....

Place.....

*Signature of Police Officer*

*Signature of Witness*

Certified that the declaration on oath made on enlistment has been duly repeated.

*Chief Officer*

MADE by the Governor in Council this 3rd day of June, 1957.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

## W.R.L.N. 149 of 1957

*The Education Law, 1954 (No. 6 of 1955)*

THE WESTERN IJAW DIVISIONAL COUNCIL  
 LOCAL EDUCATION AUTHORITY  
 (PRIMARY SCHOOL BUILDING PROGRAMME)  
 (DEFAULT) ORDER, 1957

DATE OF COMMENCEMENT : 13TH JUNE, 1957

In exercise of the powers conferred upon the Minister of Education by paragraph (1) of section 14 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Western Ijaw Divisional Council Local Education Authority (Primary School Building Programme) (Default) Order, 1957. Short title.

2. The Western Ijaw Divisional Council Local Education Authority is hereby declared in default in discharging the duty imposed upon it under sub-paragraph (b) of paragraph (1) of section 9 of the Education Law, 1954, to establish the new public primary schools directed by the Minister that are specified in column 1 of the schedule to this Order. Council declared in default.

3. The Western Ijaw Divisional Council Local Education Authority is hereby directed— Directions to enforce execution of duty.

(a) to complete the schools specified in the first column of the Schedule to this Order, within three months of the date of commencement of this Order ;

(b) to exercise the rights of the Council to terminate, within three months of the date of commencement of this Order, the contracts drawn up between the Western Ijaw Divisional Council and the contractors specified in the second column of the schedule in respect of the construction of the schools specified in the first column of the schedule ;

(c) within three months of the date of commencement of this Order to commence and prosecute such legal proceedings for the recovery of damages against such contractors as may be brought by the Council in respect of the failure of the contractors to construct the schools specified in the first column in accordance with the contracts ;

(d) to draw up and enter into contracts with contractors other than those specified in the second column of the schedule to complete the schools specified in the first column within three months of the date of commencement of this Order.

## SCHEDULE

1	2
<i>Name of School</i>	<i>Contractor</i>
Divisional Council School, Adagbabri ...	A. O. Obianwu
Divisional Council School, Adobu ...	A. O. Obianwu
Divisional Council School, Kabiama ...	A. O. Obianwu
Divisional Council School, Toru-Ibeni ...	A. O. Obianwu
Divisional Council School, Ogo-Eze ...	A. O. Obianwu
Divisional Council School, Bomadi ...	A. O. Obianwu
Divisional Council School, Angalabri ...	R. Edukugho
Divisional Council School, Oboro ...	R. Edukugho

SCHEDULE—*contd.*

<i>1</i>	<i>2</i>
<i>Name of School</i>	<i>Contractor</i>
Divisional Council School, Torugbene ...	L. A. Bob-Manuel
Divisional Council School Ajagbene (Ajatiton)	Amoda Alli
Divisional Council School, Peretorugbene ...	Amoda Alli
Divisional Council School, Angalaweigbene ...	Amoda Alli
Divisional Council School, Tuomo ...	F. Egobagha
Divisional Council School, Tamigbe ...	M. Odezi
Divisional Council School, Tugbegbe ...	M. Odezi
Divisional Council School, Ossiana ...	P. A. Tombri
Divisional Council School, Amabulon ...	P. A. Tombri

MADE at Ibadan the 6th day of May, 1957.

J. A. O. ODEBIYI,  
*Minister of Education*

I consent to the making of the above Order.

DATED the 3rd day of June, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 150 of 1957

*The Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

## ORDER DECLARING A PIONEER INDUSTRY

DATE OF COMMENCEMENT : 6TH JUNE, 1957

WHEREAS representations have been received pursuant to sub-section (1) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

1. This Order may be cited as the Aid to Pioneer Industries (No. 2) Short title.  
Order, 1957.

2. It is hereby declared that—

Declaration.

(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and

(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

## SCHEDULE

<i>Industry</i>	<i>Products</i>
Manufacture of Carbon Dioxide	Carbon Dioxide gas, liquid carbon dioxide and solid carbon dioxide.

M. B. HALL,  
*Deputy Secretary to the Council of Ministers*

Lagos, 3rd June, 1957.

I.0214/S.37

**W.R.L.N. 151 of 1957**

*The Aid to Pioneer Industries Ordinance, 1952  
(No. 10 of 1952)*

**ORDER DECLARING A PIONEER INDUSTRY**

DATE OF COMMENCEMENT : 6TH JUNE, 1957

WHEREAS representations have been received pursuant to sub-section (1) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

- Short title. 1. This Order may be cited as the Aid to Pioneer Industries (No. 3) Order, 1957.
- Declaration. 2. It is hereby declared that—
- (a) the industry set out in the Schedule hereto shall be a pioneer industry ; and
  - (b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

**SCHEDULE**

<i>Industry</i>	<i>Products</i>
The manufacture and assembly of lead acid accumulators.	Locally manufactured or assembled lead acid accumulators.

M. B. HALL,  
*Deputy Secretary to the Council of Ministers*

Lagos, 3rd June, 1957.

I.0214/S.25

W.R.L.N. 152 of 1957

*The Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

AID TO PIONEER INDUSTRIES (No. 7)  
(AMENDMENT) ORDER, 1957

DATE OF COMMENCEMENT : 13TH JUNE, 1957

In exercise of the powers conferred by sub-section (4) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the Governor-General, after consultation with the Council of Ministers, has made the following Order—

1. This Order may be cited as the Aid to Pioneer Industries (No. 7) Citation. (Amendment) Order, 1957.

2. The Schedule to the Aid to Pioneer Industries (No. 7) Order, 1956, is amended by the addition under the heading "Products" of the following—  
"and grain offals".

Amendment  
of Schedule  
to L.N. 97 of  
1956.

M. B. HALL,  
*Deputy Secretary to the Council of Ministers*

6th June, 1957.

EXPLANATORY NOTE

The effect of the amendment is to extend the scope of the existing pioneer industries Order applicable to milling of cereals to cover grain offals necessarily produced in the milling of cereals. Thirty days notice to enable objections to be made has been given in accordance with the Ordinance and none have been received.

**W.R.L.N. 153 of 1957**

*The Western Region Local Government Law, 1952  
(No. 1 of 1953)*

**THE REGISTRATION OF BIRTHS ADOPTIVE BYE-LAWS  
ORDER, 1956: IKIRUN DISTRICT COUNCIL**

**DATE OF COMMENCEMENT : 20TH JUNE, 1957**

Notice is hereby given that in exercise of the powers conferred upon the Ikirun District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 149 of 1953, the Ikirun District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 5th day of July, 1956, that the Registration of Births Adoptive Bye-laws, 1956 be adopted.

W.R.L.N.  
15 of 1956.

**R. E. BROWN,**  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 11th June, 1957.

## W.R.L.N. 154 of 1957

*The Western Region Local Government Law, 1952*  
(No. 1 of 1953)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1956  
IKIRUN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 20TH JUNE, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikirun District Council by section 78A (2) of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 149 of 1953, the Ikirun District Council in accordance with section 78A (3) (a) of the said Law has resolved at its meeting held on the 5th day of July, 1956, that the Market Adoptive Bye-laws, 1956 be adopted. Substituting the following for the First Schedule thereof :—

W.R.L.N.  
10 of 1956.

FIRST SCHEDULE

STALLAGES

		£	s	d
In respect of stall erected by the Council.	} for each market day ; at for a month ; at	0	0	2
		0	5	0
In respect of any other stall (including a stall erected by the person selling or trading).	} for each market day ; at for one month ; at for one year ; at	0	0	3
		0	3	0
		1	10	0
In respect of any vacant space (not occupied by stalls) used for exposing goods for sale or carrying on any trade or business.	} for each market day ; at	0	0	1

R. E. BROWN,  
*Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 31st May, 1957.

B 206

**W.R.L.N. 155 of 1957**

*The Western Region Local Government Law, 1957*  
(No. 12 of 1957)

**APPOINTMENT OF AUDITOR**

**DATE OF COMMENCEMENT : 20TH JUNE, 1957**

In exercise of the powers conferred on me by section 196 of the Western Region Local Government Law, 1957 I hereby appoint the Director of Audit to be an Auditor in respect of all Councils including Local Councils, established or to be established under the Western Region Local Government Law.

2. For the purpose of this notice the expression "Director of Audit" includes the Deputy Director of Audit, Western Region, Principal Auditors, Senior Auditors and Assistant Auditors serving in the Western Region and working under his direction.

MADE at Ibadan this 10th day of June, 1957.

A. O. ADEYI,  
*Minister of Local Government*

W.R.L.N. 156 of 1957

*The Western Region Local Government Law, 1957*  
(No. 12 of 1957)

FORM OF LETTER OF APPROVAL OF THE ELECTION OF A  
CHAIRMAN OF A COUNCIL

DATE OF COMMENCEMENT : 20TH JUNE, 1957

In exercise of the powers conferred upon the Minister of Justice and Local Government by section 30 (1) (h) of the Local Government Law, 1957, the following form for the letter of approval of the election of a Chairman of a Council is hereby prescribed.

FORM OF LETTER OF APPROVAL OF THE ELECTION OF A CHAIRMAN OF A COUNCIL

(Section 30 (1) (h) of the Local Government Law, 1957)

WHEREAS.....a traditional/elected member  
of the.....Council was elected Chairman of  
the.....Council by the majority  
of the votes of all the members of the Council at a meeting held at.....on  
the.....day of....., 19....., I.....  
(Name)  
.....President of the said Council do hereby approve  
of the election in accordance with the provisions of section 30 (1) (h) of the Local  
(Title)  
Government Law, 1957.

Signature

President.....Council

Date

A. O. ADEYI,  
Minister of Local Government

**W.R.L.N. 157 of 1957**

**BYE-LAWS made under SECTION 15 of THE DOGS  
ORDINANCE (Cap. 56)**

**ABEOKUTA URBAN DISTRICT COUNCIL  
(PREVENTION OF RABIES) BYE-LAWS, 1957**

**DATE OF COMMENCEMENT : 20TH JUNE, 1957**

In exercise of its powers under section 15 of the Dogs Ordinance, the Abeokuta Urban District Council with the approval of the Local Government Adviser, Egba Division hereby makes the following Bye-laws :—

1. These Bye-laws may be cited as the Abeokuta Urban District Council (Prevention of Rabies) Bye-laws, 1957, and shall apply to the town of Abeokuta within a radius of three miles from Shapon Cross-roads.

2. The owner or other person in charge of a dog shall not permit the dog to be in any road, market or public place unless the dog is led on a leash, and a dog not so leashed shall be deemed not under control.

3. A dog found in any road, market or public place and not under control may be seized and detained by the health or veterinary authorities, who may destroy it if it is found to be rabid or to have been in contact with any rabid animal. Provided that when it is necessary for a dog so seized to be destroyed, the killing shall be done in a humane manner.

4. The Abeokuta Urban District Council may recover from the owner of a dog seized or destroyed under the preceding bye-law any expense which the Council has incurred in detaining or destroying the dog.

MADE by the Abeokuta Urban District Council this 8th day of May, 1957, the common seal of the Council being hereto affixed.

In the presence of—

A. A. SOMEFUN,  
*Chairman, Abeokuta Urban District Council*

S. O. ABOABA,  
*Secretary, Abeokuta Urban District Council*

APPROVED by me this 13th day of May, 1957.

A. N. COHEN,  
*Local Government Adviser  
Egba Division*

W.R.L.N. 158 of 1957

*ORDER made under SECTION 16 of THE DOGS ORDINANCE  
(Cap. 56)*

DATE OF COMMENCEMENT : 20TH JUNE, 1957

In exercise of its powers under section 16 of the Dogs Ordinance, the Abeokuta Urban District Council hereby makes the following Order :—

1. This Order may be cited as the Rabies (Abeokuta Town) Declaration and Prohibition Order, 1956.
2. The town of Abeokuta within a radius of three miles from Shapon Cross-roads is declared to be a diseased area.
3. The removal of dogs from the diseased area to any other area or from any other area to the diseased area is prohibited.

MADE at Abeokuta this 8th day of May, 1957.

A. A. SOMEFUN,  
*Chairman, Abeokuta Urban District Council*

S. O. ABOABA,  
*Secretary, Abeokuta Urban District Council*



## W.R.L.N. 159 of 1957

*The Waterworks Ordinance (Cap. 227)*

## THE WATERWORKS (IJEBU-ODE DISTRICT GENERAL WATER RATE) ORDER, 1957

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Ijebu-Ode District General Water Rate) Order, 1957, and shall apply to the Ijebu-Ode District Rating Authority area. Short title.

2. Subject to paragraph 3 of this Order an annual general water rate of fifteen shillings is hereby levied on all male persons and an annual general water rate of seven shillings is hereby levied on all female persons, of or over sixteen years of age resident within the Ijebu-Ode District Rating Authority area exclusive of—Oke-Eri, Imowo, Oju-Ona, Apuren excluding Odo Aseri Village, Isade, Ikangba, Mobalufon, Ilese, Imodi, Imosan, Ogbo, Isonyin, Ita Epo, together with the Itamapako and Ishiwo Native Court areas. Levy of General Water Rate.

3. The following classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this Ordinance :— Exemptions.

(a) adults of or over sixteen years of age who are not natives of Ijebu-Ode District and who do not reside in or own tenements within the Ijebu-Ode District Rating Authority area ;

(b) students in full time attendance at any school, college or training centre ;

(c) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;

(d) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance ;

Provided that no more than eight persons shall be exempted in respect of any one tenement.

4. The general water rate imposed by this Order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957. Rate to be payable in advance.

5. The Waterworks (Ijebu-Ode General Water Rate) Order, 1942, the Waterworks (Ijebu-Ode General Water Rate (Amendment)) Order, 1944 and the Waterworks (Ijebu-Ode General Water Rate (Amendment)) Order, 1947 are hereby revoked. Revocation.

MADE by the Ijebu-Ode District Council this 11th day of May, 1957, the common seal of the Council having been affixed in the presence of—

L. A. AKINSANYA,  
Chairman,  
Ijebu-Ode District Council

C. A. ADERIBIGBE,  
Secretary,  
Ijebu-Ode District Council

**B 212**

*Signified in accordance with the Ijebu-Ode District Council Standing Orders,  
dated 25th June, 1955.*

APPROVED by the Minister of Local Government this 17th day of June,  
1957.

A. O. ADEVI,  
*Minister of Local Government*

## W.R.L.N. 160 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE SCHOOLS AND INSTITUTIONS (RECORDS) (AMENDMENT)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred upon the Minister of Education by section 51 of the Education Law, 1954 and after consultation with the Regional Advisory Board of Education, the following Regulations are hereby made :—

1. These Regulations may be cited as the Schools and Institutions (Records) (Amendment) Regulations, 1957. Short title.

2. Regulation 4 of the Schools and Institutions (Records) Regulations, 1957 is hereby amended in the following respects— Amendment  
of regulation  
4 of princi-  
pal regula-  
tions  
W.R.L.N. 94  
of 1957.

(a) by *substituting* a semi-colon for the full stop at the end of item (g) of paragraph (1) ;

(b) by *adding* to paragraph (1), immediately after item (g), the following items—

“(h) a copy of the Education Law, 1954, all regulations thereunder and any amendments thereto ;

(i) a class time-table in each class-room ;

(j) a copy of the approved syllabus and scheme of work ;

(k) teachers' weekly diaries of all work done ;

(l) teachers' lesson notes”.

MADE at Ibadan this 17th day of June, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

**W.R.L.N. 161 of 1957**

*The Education Law, 1954 (No. 6 of 1955)*

**THE TEACHERS (GENERAL PROVISIONS) (AMENDMENT)  
REGULATIONS, 1957**

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred upon the Minister of Education by section 29 of the Education Law, 1954, and after consultation with the Regional Advisory Board of Education, the following Regulations are hereby made :—

Short title. 1. These Regulations may be cited as the Teachers (General Provisions) (Amendment) Regulations, 1957.

Amendment to W.R.L.N. 87 of 1956. 2. The Teachers (General Provisions) Regulations, 1956 are hereby amended by *deleting* paragraph (2) of regulation 28 thereof and *substituting* the following paragraph—

“(2) For the purposes of paragraph (1) of this regulation the qualifying period shall be—

(a) in the case of a student admitted before the thirty-first day of March, 1956, one year ;

(b) in the case of a student admitted during the period commencing on the thirty-first day of March, 1956 and ending on the 30th day of March, 1958 (both dates inclusive), two years ;

(c) in the case of a student admitted during the period commencing on the 31st day of March, 1958 and ending on the 30th day of March, 1959 (both dates inclusive), three years ;

(d) in the case of a student admitted on or after the thirty-first day of March, 1959, four years.”

MADE at Ibadan this 17th day of June, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

## W.R.L.N. 162 of 1957

ORDER made under THE BUILDING LINES LAW, 1957  
(Cap. 24)

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred upon the Minister by sections 4 and 6 of the Western Region Building Lines Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Building Lines (Amendment No. 6) Order, 1957.

2. The Schedule to the Building Lines Order in Council is hereby amended by the insertion of the particulars set out in the Schedule hereto immediately after the particulars set out under the heading "Benin Province".

Amends  
Schedule to  
Order in  
Council 29  
of 1940.

## SCHEDULE

Route No.	Road	Mileage		Obstruction Free Area		Remarks
		From	To	Left	Right	
A 6	Ifon-Benin-Asaba	233 + 177 yards	235 + 633 yards	50 feet	50 feet	—
180	Benin-Situko	—	780 yards	50 feet	50 feet	—
182	Benin-Sapele	—	1,160 yards	50 feet	50 feet	—
184	Benin-Ogba	—	780 yards	50 feet	50 feet	—

MADE by the Minister of Works at Ibadan this 18th day of June, 1957.

F. MARTIN-DAVIES,  
Permanent Secretary,  
Ministry of Works

## W.R.L.N. 163 of 1957

**ORDER IN COUNCIL made under THE NATIVE COURTS  
ORDINANCE (Cap. 142)**

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred upon the Governor in Council by section 12 of the Native Courts Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment) Order in Council, 1957.

2. The Tenth Schedule to the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) Order in Council as amended by the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment) Order in Council, 1951 is hereby amended by the addition of the following :—

<i>Province</i>	<i>Native Court</i>	<i>Road Traffic Ordinance No. 43 of 1947</i>	<i>Restriction or limitation on exercise of jurisdiction</i>	<i>Effective date</i>
Benin ...	Benin Divisional Court	The whole Ordinance	—	—
Abeokuta ...	Egbado-Ketu Native Court	The whole Ordinance	—	—

MADE by the Governor in Council at Ibadan, this 3rd day of June, 1957.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

## W.R.L.N. 164 of 1957

*ORDER made under SECTION 154 (1) of THE  
WESTERN REGION LOCAL GOVERNMENT LAW, 1957  
(No. 12 of 1957)*

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred on me by section 154 (1) of the Local Government Law, 1957, I hereby order that the method of assessment of tenements in the Warri Urban District Council area for rating purposes during the year 1957-58 shall be based on the existing valuations made for the assessment of water charges under section 16 of the Water Works Ordinance.

MADE at Ibadan this 18th day of June, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 165 of 1957

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 27TH JUNE, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Education) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

*Column 1*  
Minister of Education

*Column 2*  
Minister of Finance.

GIVEN at Ibadan this 20th day of June, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*



## W.R.L.N. 166 of 1957

*The Road Traffic Ordinance, 1947*  
(No. 43 of 1947)

THE APPOINTMENT OF LICENSING AUTHORITIES  
NOTICE, 1957

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor by paragraph (a) of sub-section (1) of section 3 of the Road Traffic Ordinance, 1947, the following Notice is hereby given :—

1. This Notice may be cited as the Road Traffic (Licensing Authorities) Citation Notice, 1957.

2. The Councils set out in the first column of the Schedule hereto are hereby appointed licensing authorities. Appointment of licensing authorities.

3. The distinctive letters specified in the second column of the said Schedule are hereby assigned to each of the said licensing authorities specified in the first column of the Schedule for the purpose of the identification mark of such authority. Assignment of identification marks.

4. The appointments notified in Government Notice No. 2057 of 1948 and 982 of 1949 are revoked in so far as they relate to the Western Region. Revocation of existing appointments.

SCHEDULE

<i>Licensing Authority</i>	<i>Identification Mark</i>
Ibadan (Provisional) District Council ... ..	WA
Benin Divisional Council ... ..	WB
Oshogbo District Council ... ..	WC
Ondo Divisional Council ... ..	WD
Egba Divisional Council ... ..	WE
Ife Divisional Council ... ..	WF
Egbado Divisional Council ... ..	WG
Ogbomosho District Council ... ..	WH
Ijebu Divisional Council ... ..	WJ
Ikeja District Council ... ..	WK
Ijesha Divisional Council ... ..	WL
Akure Divisional Council ... ..	WM
Akoko Divisional Council ... ..	WN
Ekiti Divisional Council... ..	WP
Owo Divisional Council... ..	WQ

SCHEDULE—*contd.*

<i>Licensing Authority</i>	<i>Identification Mark</i>
Ijebu-Remo Divisional Council ... ..	WR
Sapele Urban District Council... ..	WS
Etsako District Council... ..	WT
Uromi-Uzea District Council ... ..	WU
Asaba Urban District Council ... ..	WV
Warri Urban District Council ... ..	WW
Ika District Council ... ..	WX
Oyo Divisional Council... ..	WY

GIVEN this 28th day of June, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
 and Executive Council*

## W.R.L.N. 167 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (IWO GENERAL WATER RATE)  
ORDER, 1957

DATE OF COMMENCEMENT : 4TH JULY, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Iwo General Water Rate) Order, 1957, and shall apply to the Iwo Rating Authority area. Short title.

2. Subject to paragraph 3 of this Order, an annual general water rate of thirty shillings is hereby levied on all male and female persons of or over sixteen years of age resident in the towns of Iwo, Fesu, Kuta, Ile-Igbo and Oluponna in the Iwo Rating Authority area. Levy of general water rate.

3. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this order— Exemptions.

(a) adults of or over sixteen years of age who are not natives of Iwo, Fesu, Kuta, Ile-Igbo and Oluponna and who do not reside in or own tenements within those towns ;

(b) students in full time attendance at any school, college or training centre who, while undergoing such training, are not in receipt of any salary, stipend or other emoluments derived from any source ;

(c) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;

(d) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :

Provided that no more than eight persons shall be exempted in respect of any one tenement.

4. The general water rate imposed by this Order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957. Rate to be payable in advance.

MADE at Iwo this 29th day of May, 1957.

By the Iwo District Council's Order.

A. A. OTUN  
J. AKANBI  
A. O. AKINRINWALE  
G. O. BABALOLA

} Councillors

ORODIJI OSA, His  
Chairman, X  
Iwo District Council Mark

J. A. AKINBAMI,  
Secretary,  
Iwo District Council

APPROVED by the Minister of Local Government this 15th day of June, 1957.

A. O. ADEYI,  
Minister of Local Government.  
Western Region

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**W.R.L.N. 168 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 4TH JULY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Premier to the Minister of Development, notified by the Delegation of Functions (The Premier) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

29th June, 1957.

**W.R.L.N. 169 of 1957**

*The Statutory Powers and Duties of Administrative Officers  
(Transfer) Law, 1957 (No. 4 of 1957)*

**THE TRANSFER OF ADMINISTRATIVE OFFICERS' POWERS  
(DIRECT TAXATION ORDINANCE) ORDER, 1957**

**DATE OF COMMENCEMENT : 11TH JULY, 1957**

In exercise of the powers conferred upon the Governor in Council by section 2 of the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1957, the following Order is hereby made :—

1. This Order may be cited as the Transfer of Administrative Officers' Powers (Direct Taxation Ordinance) Order, 1957.

2. The powers of Provincial Advisers under the Direct Taxation Ordinance are hereby transferred to Local Government Inspectors appointed under section 90 of the Local Government Law, 1957.

**MADE in Council this 24th day of June, 1957.**

**A. HOLDEN,**  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 170 of 1957**

*The Education Law, 1954 (No. 6 of 1955)*

THE LOCAL EDUCATION AUTHORITY  
(APPOINTMENT OF IFE DIVISIONAL COUNCIL)  
(AMENDMENT) ORDER, 1957

DATE OF COMMENCEMENT : 11TH JULY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made .—

- Short title. 1. This Order may be cited as the Local Education Authority (Appointment of Ife Divisional Council) (Amendment) Order, 1957.
- W.R.L.N. 53 of 1956. 2. The Local Education Authority (Appointment of Ife Divisional Council) Order, 1956, is hereby amended as follows :—

*Delete* paragraph 3 of the Order and *substitute* the following therefor :—

“(1) The education committee of the local education authority appointed by this order shall be composed of the following :—

- (a) a chairman ;
- (b) eleven council members ; and
- (c) twelve private members.

(2) (a) The Chairman and the eleven council members shall be members of the local education authority and shall be appointed by it.

(b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.

(3) Of the private members :—

(a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;

(b) ten shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situated within the area of authority of the local education authority after consultation by the Minister or his delegate with all such Voluntary Agencies ;

(c) one shall be appointed to represent women's interests.”

MADE at Ibadan the 17th day of June, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above Order.

DATED the 26th day of June, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 171 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE LOCAL EDUCATION AUTHORITY  
(APPOINTMENT OF ETSAKO DISTRICT COUNCIL) ORDER, 1957

DATE OF COMMENCEMENT : 18TH JULY, 1957

In exercise of the powers conferred upon the Minister of Education by section 8 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Local Education Authority (Appointment of Etsako District Council) Order, 1957. Short title.
2. The Etsako District Council is appointed to be the local education authority for the area over which it exercises authority. Appointment of local education authority.
3. (1) The education committee of the local education authority appointed by this order shall be composed of the following— Composition of education committee.
  - (a) a chairman ;
  - (b) six council members ; and
  - (c) six private members.
- (2) (a) The chairman and the six council members shall be members of the local education authority and shall be appointed by it.
- (b) The private members shall, subject to sub-paragraph (3) of this paragraph, be suitable persons who have experience and interest in education and shall be appointed by the local education authority.
- (3) Of the private members—
  - (a) one shall be either a registered teacher or a member of the Nigerian Union of Teachers ;
  - (b) five shall be appointed by the local education authority from amongst persons approved by the Minister of Education (or any person to whom he has delegated his powers under paragraph (e) of sub-section (2) of section 12 of the Law) as representing the interests of voluntary agencies which are the proprietors of schools situate within the area of authority of the local education authority after consultation by the Minister or his delegate with all such voluntary agencies.
4. (1) The Chairman and the council members of the education committee shall hold office for such term as may be specified by the local education authority upon making their respective appointments but they shall in any case vacate their seats upon ceasing to be members of the Etsako District Council. Tenure of office of members of committee.
- (2) Subject to sub-paragraph (3) of this paragraph a private member shall hold office until the general election to the Etsako District Council, occurring next after his appointment.
- (3) The seat of a private member of the education committee shall become vacant :—
  - (a) upon his death ;

(b) if he is absent from four successive meetings of the committee without having obtained from the chairman before the termination of any such meeting permission to be absent or remain absent therefrom ;

(c) if he is sentenced to imprisonment for a term exceeding six months ;

(d) if by order of a competent authority he is disqualified from practising as a legal or medical practitioner or a teacher ;

(e) if he is adjudged a lunatic or declared to be of unsound mind under any written Law ;

(f) if he resigns ;

(g) in the case of a person appointed under sub-paragraph (3) (a) of paragraph 3, if he ceases to possess the requisite qualification.

(4) (a) The Minister of Education may remove from Office any member of the education committee appointed under sub-paragraph 3 (b) of paragraph 3 who has in his opinion ceased to represent the interest in respect of which he is appointed ;

(b) Before removing a member under the powers conferred by this sub-paragraph the Minister of Education shall consult with the voluntary agencies which are the proprietors of schools situate in the area of authority of the Etsako District Council.

MADE at Ibadan the 20th day of June, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

I consent to the making of the above Order.

DATED the 2nd day of July, 1957.

A. O. ADEYI,  
*Minister of Justice and Local Government*

## W.R.L.N. 172 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (OGBOMOSHO GENERAL WATER RATE)  
ORDER, 1957

DATE OF COMMENCEMENT : 18TH JULY, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Ogbomosho General Water Rate) Order, 1957, and shall apply to the Ogbomosho District Council Rating Authority area. Short title.

2. Subject to paragraph 3 of this order, an annual general water rate of four shillings is hereby levied on all male persons of or over sixteen years of age resident in the Ogbomosho District Council Rating Authority area. Levy of general water rate.

3. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this order— Exemptions.

(a) adults of or over sixteen years of age who are not natives of Ogbomosho and who do not reside in or own tenements within the Ogbomosho District Council Rating Authority area ;

(b) students in full time attendance at any school, college or training centre ;

(c) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;

4. The general water rate imposed by this order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957.

5. The Waterworks (Ogbomosho Assessment) Order, 1942 is hereby cancelled. Rate to be payable in advance.

MADE at Ogbomosho this 12th day of June, 1957, by the Ogbomosho District Council's Order.

N. A. ADIBI,  
*Chairman,*  
*Ogbomosho District Council*

M. B. A. ADEUJA,  
*Secretary,*  
*Ogbomosho District Council*

APPROVED by the Minister of Local Government this 6th day of July, 1957.

A. O. ADEYI,  
*Minister of Local Government*

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**W.R.L.N. 173 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 22ND JULY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Lands and Labour to the Minister of Health, notified by the Delegation of Functions (Minister of Lands and Labour) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 174 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 16TH JULY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Justice and Local Government to the Minister of Local Government notified by the Delegation of Functions (Minister of Justice and Local Government) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 175 of 1957**

*The Nigeria (Constitution) Order in Council, 1954*

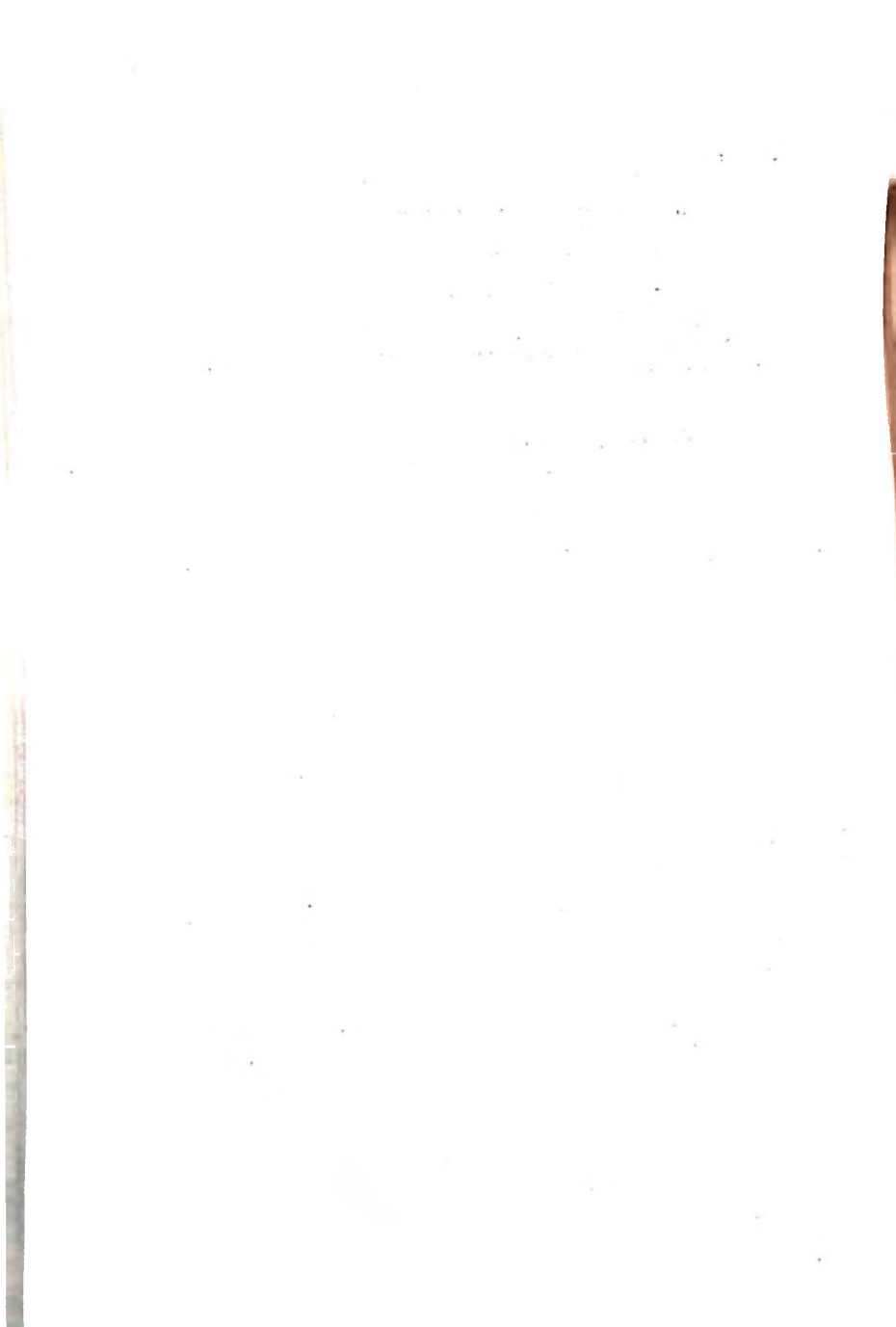
DATE OF COMMENCEMENT : 18TH JULY, 1957

It is hereby notified that His Excellency The Governor has given his consent in accordance with the provisions of section 136 (1) of the Nigeria (Constitution) Order in Council, 1954, to the performance by Regional Officers of the functions referred to in Legal Notice 89 of 1957 published in the *Federation of Nigeria Official Gazette Supplement* dated the 20th of June, 1957.

MADE at Ibadan this 10th day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*



## W.R.L.N. 176 of 1957

*The Marriage Ordinance (Cap. 128)*THE REGISTRARS OF MARRIAGE (WESTERN REGION)  
(APPOINTMENTS AND DIRECTIONS) (AMENDMENT) NOTICE, 1957

DATE OF COMMENCEMENT : 25TH JULY, 1957

In exercise of the powers conferred upon the Governor by sections 4 and 5 of the Marriage Ordinance the following amendment is made to the Registrars of Marriage (Western Region) (Appointments and Directions) Notice, 1955.

1. This Notice may be cited as the Registrars of Marriage (Western Region) (Appointments and Directions) (Amendment) Notice, 1957.

2. The references in the Schedule to the Township of Sapele and the Urhobo Division exclusive of the Township of Sapele are hereby deleted and the following substituted therefore :

## SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
The area of the Sapele Urban District Council.	The Divisional Adviser in charge of the Urhobo Division.	The Officer performing the duties of the Divisional Adviser Urhobo Division.	Sapele
The Urhobo Division exclusive of the area of the Sapele Urban District Council.	The Divisional Adviser in charge of the Urhobo Division.	The Officer performing the duties of the Divisional Adviser in charge of the Urhobo Division.	Divisional Headquarters.

MADE at Ibadan this 10th day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier and  
Executive Council*

**W.R.L.N. 177 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 25TH JULY, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (the Premier) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

*Column 1*

*Column 2*

The Premier

The Minister of Development.

GIVEN at Ibadan this 16th day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 178 of 1957**

*ORDER made under THE DOGS ORDINANCE  
(Cap. 56) (Section 16)*

DATE OF COMMENCEMENT : 25TH JULY, 1957

In exercise of the powers conferred upon the Administrator of the Colony by section 16 of the Dogs Ordinance, which powers have been delegated to Divisional Adviser, Ikeja Division, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ikeja Division) Declaration and Prohibition Order, 1957.

2. The whole of that part of the Ikeja Division which lies to the west of the Ogun River is hereby declared a diseased area.

3. The removal of dogs to or from this area is hereby prohibited.

MADE at Ikeja this 17th day of July, 1957.

K. M. HALL,  
*Divisional Adviser,  
Ikeja Division*

## W.R.L.N. 179 of 1957

*The Public Health Law, 1957*

## APPOINTED DAY NOTICE

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred by section 1 of the Public Health Law, 1957, the Governor has been pleased to appoint the 1st day of August, 1957, as the day on which the Public Health Law shall come into operation.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

22nd July, 1957.

## W.R.L.N. 180 of 1957

*The Marriage Ordinance (Cap. 128)*

THE MARRIAGE DISTRICTS (WESTERN REGION) ORDER, 1957

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor by section 3 of the Marriage Ordinance which powers the Governor has been pleased to delegate to the Minister of Home Affairs, the following Order is hereby made.

1. This Order may be cited as the Marriage Districts (Western Region) Order, 1957.
2. The Schedule to the Marriage Districts (Western Region) Order, 1955 is hereby amended :

(a) by *deleting* "The Township of Sapele" and by *inserting* therein "The area of Sapele Urban District Council" ; and

(b) by *deleting* "The Urhobo Division exclusive of the Township of Sapele" and by *inserting* "The Urhobo Division exclusive of the area of Sapele Urban District Council".

MADE at Ibadan this 22nd day of July, 1957.

A. ENAHORO,  
*Minister of Home Affairs*

**W.R.L.N. 181 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 15TH JULY, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Oshun Central	... Mr C. A. Araoye	... Whole Constituency.

2. The appointment of the Secretary, Oshun Divisional Council as Electoral Officer notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner,  
Western Region*

Ibadan, 15th July, 1957.

**W.R.L.N. 182 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ASSISTANT ELECTORAL OFFICER

DATE OF COMMENCEMENT : 20TH JULY, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as an Assistant Electoral Officer has been made for the purpose of Local Government Elections :—

<i>Constituency</i>	<i>Assistant Electoral Officer</i>	<i>Area of Responsibility</i>
Afenmai East	... Mr V. A. Adegoroye	... Whole Constituency.

2. The appointment of the Secretary, Etsako District Council as Assistant Electoral Officer notified in Western Region Legal Notice 225 of 1956 is hereby revoked.

A. BOWER,  
*Electoral Commissioner,  
Western Region*

Ibadan, 20th July, 1957.

**W.R.L.N. 183 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA OBAFEMI DISTRICT COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the instrument establishing the Egba Obafemi District Council is hereby amended as follows :—

W.R.L.N.  
167 of 1955.

In paragraph A (i) of the First Schedule to the said Instrument, *insert—*  
“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 184 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA IKEREKU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Egba Ikereku District Council is hereby amended as follows :—

W.R.L.N.  
168 of 1955.

In paragraph A (i) of the First Schedule to the said Instrument, *insert—*  
“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 185 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA IFO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

W.R.L.N.  
169 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Egba Ifo District Council is hereby amended as follows :—

In paragraph A (i) of the First Schedule to the said Instrument, insert—  
“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 186 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA OWODE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

W.R.L.N.  
170 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Egba Owode District Council is hereby amended as follows :—

In paragraph A (i) of the First Schedule to the said Instrument, insert—  
“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

W.R.L.N. 187 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE ABEOKUTA URBAN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the instrument establishing the Abeokuta Urban District Council is hereby amended as follows :—

W.R.L.N.  
165 of 1955.

In paragraph A (i) of the First Schedule to the said Instrument, *insert*—

“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 188 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA ODEDA DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the instrument establishing the Egba Odeda District Council is hereby amended as follows :—

W.R.L.N.  
166 of 1955.

In paragraph A (i) of the First Schedule to the said Instrument, insert—

“(aa) be the rating authority for the area under its jurisdiction in accordance with section 127 of the Law”.

MADE by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

W.R.L.N. 189 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGBA DIVISIONAL COUNCIL

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Egba Divisional Council is hereby amended as follows :—

W.R.L.N.  
164 of 1955.

In paragraph A (i) of the First Schedule to the said Instrument, *delete*—

“(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law”.

2. The powers under section 127 of the Local Government Law, 1957, conferred upon the Egba Divisional Council by the Third Schedule to the said Law are hereby revoked.

3. Made by the Governor in Council this 22nd day of July, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

**W.R.L.N. 190 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE IJEBU-REMO DIVISIONAL COUNCIL**

DATE OF COMMENCEMENT : 1ST AUGUST, 1957

W.R.P.N.  
No. 72 of  
1953.

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Ijebu-Remo Divisional Council is hereby amended as follows :—

(i) *Delete* paragraph 5 of the said Instrument and *substitute* therefor :

“5. The Council shall consist of sixty-eight members, namely :  
The President  
Sixteen traditional members  
Fifty-one elected members.”

(ii) In paragraph 7 of the said Instrument :

(a) in line 1 *delete* “fourteen” and *substitute* therefor “sixteen.”

(b) after “The Elemuren of Emuren” *add*

“The Lemo of Ode-Lemo  
The Bale of Orile-Oko.”

MADE by the Governor in Council at Ibadan this 22nd day of July, 1957.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

## W.R.L.N. 191 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

In exercise of the powers conferred upon the Minister by section 257 of the Local Government Law, 1957 (hereinafter called the Law) there are hereby delegated to the persons set out in the fourth column of the Schedule hereto the powers set out in the second column opposite to the said persons, which said powers are conferred upon the Minister by the sections of the Law set out in the third column adjacent thereto, provided that such powers shall be exercised in accordance with Financial Memoranda and any other written instructions issued by the Minister :

## SCHEDULE

<i>Serial No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
1 ...	To empower any person to attend any meeting or meetings of a council or committee thereof.	47 (2) ...	Local Government Advisers.
2 ...	To approve any two or more councils appointing a joint committee.	52 ...	In respect of Local Councils—Local Government Advisers.
3 ...	To require any two or more councils to establish a joint board and delegate functions thereto.	56 (2) ...	In respect of Local Councils—Local Government Advisers.
4 ...	To approve fees charged by a council ...	75 ...	Local Government Advisers.
5 ...	To approve a bye-law made under the common seal of a council.	81 (1) }	In respect of Local Councils—Local Government Advisers.
6 ...	To amend or refuse to approve a bye-law submitted for approval by a council.	81 (2) }	
7 ...	To fix a date upon which a bye-law shall come into operation.	81 (3) }	
8 ...	To make or amend any bye-law which a council is authorised to make, or revoke any bye-law made by a council.	83 ...	In respect of Local Councils—Local Government Advisers.
9 ...	All powers of the Minister under this section (Joint Appointment of Staff).	99 ...	In respect of Local Councils—Local Government Advisers.
10 ...	To approve the manner of investment of all or any portion of a council's funds in the Post Office Savings Bank or on fixed deposit with a bank licensed in Nigeria.	115 ...	Local Government Advisers.
11 ...	To direct the form in which estimates shall be submitted.	120 (1) (a)	In respect of Local Councils—Local Government Advisers.
12 ...	To receive estimates ...	120 (1) (c)	Local Government Advisers.
13 ...	To approve estimates or items thereof ...	120 (2) ...	Local Government Advisers.
14 ...	To disapprove estimates or items thereof	120 (2) ...	In respect of Local Councils—Local Government Advisers.
15 ...	To impose conditions on the giving of approval of estimates.	120 (4) ...	Local Government Advisers.
16 ...	To receive and approve supplementary estimates submitted by councils.	121 ...	Local Government Advisers.

SCHEDULE—*contd.*

<i>Serial No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
17 ...	To approve the number of members of an assessment committee, their method of appointment or selection and their term of office.	143 (3) ...	Local Government Advisers.
18 ...	To appoint appraisers ... ..	155 ...	Local Government Advisers.
19 ...	To appoint a person or persons to an assessment appeal tribunal.	167 (2) ...	Local Government Advisers.
20 ...	To remit and refund rates on grounds of poverty.	180 ...	Local Government Advisers.
21 ...	To direct the date of service of precept ...	189 (1) ...	Local Government Advisers.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

Ibadan, 20th July, 1957.

## W.R.L.N. 192 of 1958

*The Produce Sales Tax Law, 1957*THE PRODUCE SALES TAX (UNMARKETED PRODUCE)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 8TH AUGUST, 1957

In the exercise of the powers conferred on the Governor-in-Council by section 29 of the Produce Sales Tax Law, 1957, the following Regulations are hereby made :—

## PART I.—GENERAL

1. These Regulations may be cited as the Produce Sales Tax (Unmarketed Produce) Regulations, 1957. Citation.
2. In these regulations—  
     “the Commissioner” means the Commissioner of Inland Revenue for the Region and includes a Deputy Commissioner of Inland Revenue ;  
     “quarter” means each of the quarterly periods commencing on the first of April, the first of July, the first of October and the first of January in any year. Interpretation.
3. Applications from persons carrying on business in such circumstances that they are required by sub-section (1) of section 13 of the Law to be registered shall be made in the form prescribed by the Commissioner and containing such particulars of the business carried on as the Commissioner may require. Application for registration.
4. Every person who appears to the Commissioner to be carrying on a business which includes the buying of any produce subject to Part IV of the Law for resale shall, if required by the Commissioner, furnish such information relating to his business within such time and in such form as he may require for the purposes of determining whether such person ought to be registered. Commissioner may require information.
5. (1) Every certificate of registration issued under Part IV of the Law shall be in the form set out in the Schedule. Certificates.  
     (2) A person to whom a certificate is issued shall produce the same on demand to any officer of the Inland Revenue Department of the Region.

## PART II.—SALES OF RUBBER

6. A person shall not be required to be registered under sub-section (1) of section 13 of the Law in respect of rubber if his annual gross takings from his sales thereof do not on the average exceed £400, or, in the case of a business recently commenced are unlikely to do so. Exemption from registration.
7. Every person required to be registered in respect of rubber shall make a return to the Commissioner in such form as he may require—  
     (a) in the case of a person carrying on business at the commencement of the Law, of the stocks of rubber in hand on the first of April, 1957 ; First returns.

(b) in the case of a person subsequently commencing to carry on business of his stocks of rubber in hand at the date of his applying for registration.

Quarterly returns.

8. (1) Every person required to be registered shall within fourteen days after the end of each quarter furnish to the Commissioner, in such form and containing such particulars as the Commissioner may require, a return—

- (a) of the tax for which he is accountable in respect of the quarter ;
- (b) of his stocks of rubber in hand at the commencement of the quarter ;
- (c) of his purchases during the quarter ;
- (d) of the disposal of his stocks of rubber in the quarter ;
- (e) of the stocks of rubber in hand at the end of the quarter.

(2) The first quarter in respect of which a return shall be made under this regulation shall be the quarter beginning on the first of April, 1957.

Payment of tax.

9. Every person required to be registered shall at the time of submission of his quarterly returns pay to the nearest Sub or Local Treasury the amount of tax for the quarter due and shall forward to the Commissioner with his quarterly returns details showing the station where the amount was paid and also the number and date of the Treasury receipt for such payment.

Accounts.

10. Every person required to be registered shall cause to be kept to the satisfaction of the Commissioner books of account, entered up to date, containing full particulars of all purchases of rubber, stocks of rubber held, and all transactions made in connection with his business dealings in rubber and showing the amounts of tax for which he is accountable.

Exporters to make returns, etc., if so required.

11. Every person concerned in the exportation of rubber shall, if so required by the Commissioner, furnish to the Commissioner in respect of any quarter commencing on or after the first day of April, 1957, a return of rubber shipped by him in that quarter and of the person from whom such rubber was purchased or obtained by the exporter and shall, if so required by the Commissioner, produce to the Commissioner the bills of lading or other documents in his possession relating thereto.

Receipt to be issued.

12. Every person required to be registered shall issue a receipt in respect of any purchases of rubber to the seller thereof in the form prescribed by the Commissioner. The receipt shall show the weight of rubber purchased and the amount of tax collected in respect of the sale.

Calculation of tax.

13. For the purpose of calculating the tax, the weight to be taken shall be the weight of dry rubber sold to the buyer.

Penalty.

14. Any person who contravenes or fails to comply with the requirements of regulation 12 shall be guilty of an offence and liable on conviction to a fine of ten pounds for each such offence.

SCHEDULE  
WESTERN REGION OF NIGERIA  
PRODUCE SALES TAX LAW, 1957  
CERTIFICATE OF REGISTRATION

Number.....

THIS IS TO CERTIFY THAT.....

of.....

carrying on business as.....

has/have been registered as buyer(s) pursuant to section 13 of the Produce Sales Tax Law, 1957.

ISSUED at.....this.....day of.....19.....

.....  
*Commissioner of Inland Revenue,  
Western Region*

MADE by the Governor-in-Council this 22nd day of July, 1957.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*



## W.R.L.N. 193 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (OTTA AND SANGO OTTA  
GENERAL WATER RATE) ORDER, 1957

DATE OF COMMENCEMENT : 8TH AUGUST, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Otta and Sango Otta General Water Rate) Order, 1957, and shall apply to the towns of Otta and Sango Otta. Short title.
2. Subject to paragraph 4 of this Order a General Water Rate is hereby levied on all tenements in the towns of Otta and Sango Otta. Levy of general water rate.
3. The said rate shall be an annual rate of seven *per centum* of the annual value of tenements.
4. The following tenements shall be exempt from the general water rate imposed by paragraph 2 of this Order— Exemptions.
  - (a) Tenements on which no building whether of a permanent or temporary nature is erected.
  - (b) Cemeteries.
  - (c) All premises belonging to the Otta District Council where such premises are not leased to any person.
  - (d) Places of worship.
  - (e) Public recreation grounds.
  - (f) Tenements on which water is supplied by means of private service.
5. The general water rate imposed by this Order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957. Rate to be payable in advance.
6. The Waterworks (Otta Assessment) Order, 1941, is hereby revoked. Revocation of Order No 74 of 1941.

MADE at Otta this 2nd day of July, 1957, by the Otta District Council's Order.

T. T. DADA, OLOTTA OF OTTA  
*Chairman,*  
*Otta District Council*

M. A. SALAKO,  
*Secretary,*  
*Otta District Council*

APPROVED by the Minister of Justice and Local Government this 2nd day of August, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

**W.R.L.N. 194 of 1957**

*Customs Ordinance (Cap. 48)*

**OPEN GENERAL EXPORT LICENCE No. 2 (AMENDMENT), 1957  
GOODS AND PRODUCE OF NIGERIAN ORIGIN**

DATE OF COMMENCEMENT : 8TH AUGUST, 1957

In exercise of the powers conferred by section 4 of the Control of Exports Order in Council, 1950, I hereby amend Open General Export Licence No. 2 of 1956 by the addition of the following to the First Schedule thereto :—

						<i>Export List No.</i>
						<i>Group      Item</i>
16. Lead ore	...	...	...	...		283      040

R. E. VIDAL,  
*Export Licensing Authority,*  
*Federal Department of Commerce and Industries*

12th July, 1957.

**EXPLANATORY NOTE**

The Open General Export Licence published in the Supplement to the *Gazette* of 23rd August, 1956, did not exclude lead ore.

Specific licences must now be obtained, as provided for in Note 5 to that notice, before this mineral may be exported.

**W.R.L.N. 195 of 1957**

*ORDER made under THE NIGER LANDS TRANSFER  
ORDINANCE (Cap. 149)*

DATE OF COMMENCEMENT : 6TH JUNE, 1957

In exercise of the powers conferred upon the Governor by section 10 of the Niger Lands Transfer Ordinance which powers have been delegated to me under W.R.L.N. 72 of 1956, the following Order is hereby made :—

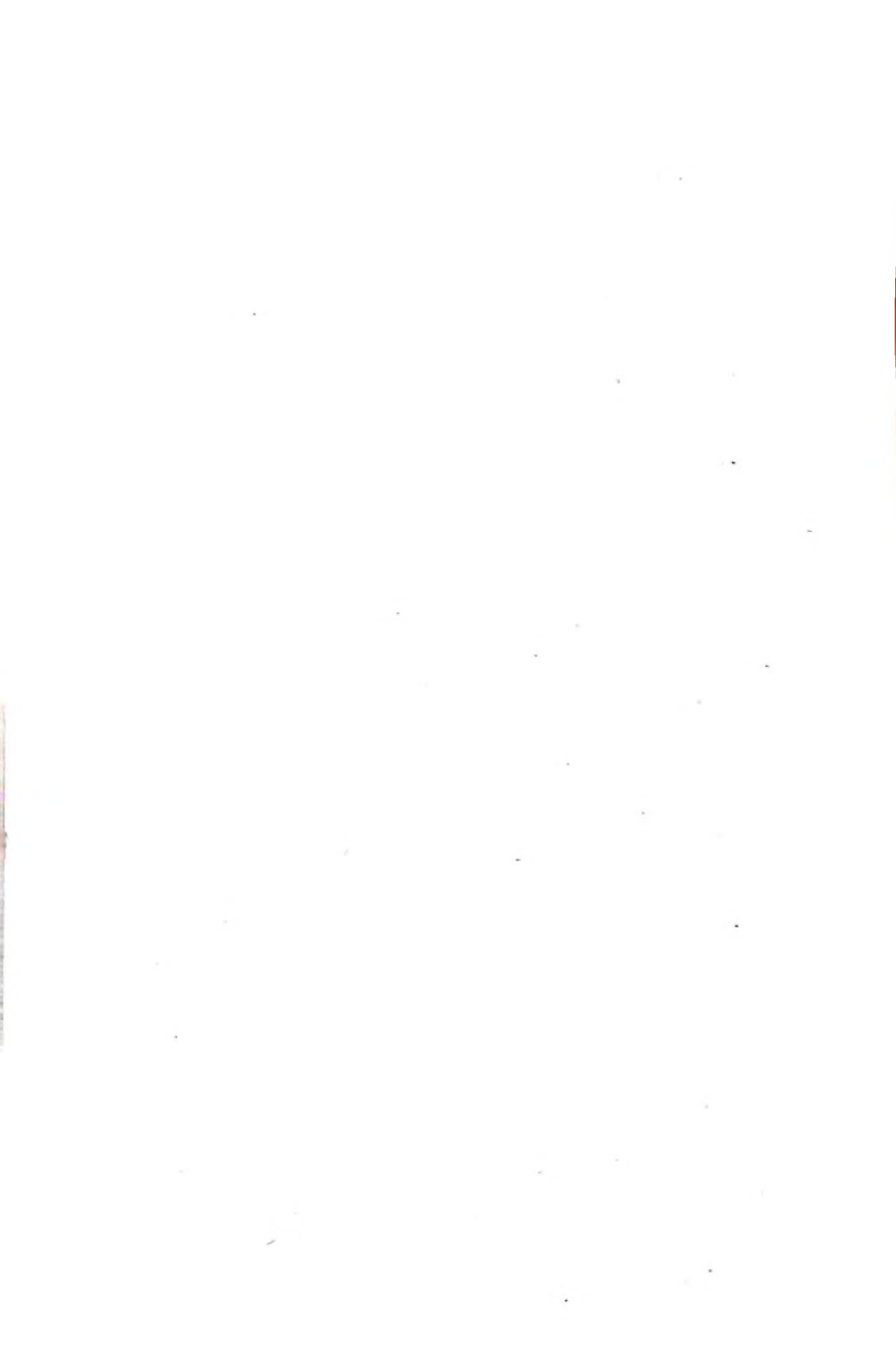
1. This Order may be cited as the Niger Lands (Divesting) No. 9 Short title. (Amendment) Order, 1957.

2. Paragraph 2 of the Niger Lands (Divesting) No. 7 Order, 1957 is hereby amended by deleting the figures "128" in the second line thereof and substituting therefor the figures "138".

Amends  
paragraph 2  
of W.R.L.N.  
144 of 1957.

MADE this 23rd day of July, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*



## W.R.L.N. 196 of 1957

*The Nigeria (Constitution) (Amendment) Order in Council, 1957*STATUTORY INSTRUMENTS, 1957 No. 1363  
WEST AFRICA

MADE ... .. 31st JULY, 1957  
 LAID BEFORE PARLIAMENT 7TH AUGUST, 1957  
 COMING INTO OPERATION 8TH AUGUST, 1957

At the Court at Goodwood House, the 31st day of July, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890 (a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. (1) This Order may be cited as the Nigeria (Constitution) (Amendment) Order in Council, 1957, and shall be construed as one with the Nigeria (Constitution) Orders in Council, 1954 to 1956 (b). Citation, construction and commencement.

(2) This Order shall come into operation on the eighth day of August, 1957.

2. Section 108 of the Nigeria (Constitution) Order in Council, 1954 (hereinafter called "the principal Order") is hereby amended by the deletion of paragraph (a). Amendment of s. 108 of Order of 1954.

3. Section 110 of the principal Order is hereby amended by the deletion of paragraph (a). Amendment of s. 110 of Order of 1954.

4. Section 115 of the principal Order is hereby revoked and the following section is substituted :— Amendment of s. 115 of Order of 1954.

"Presiding in Executive Councils of Regions. 115. (1) There shall preside at meetings of the Executive Council of the Northern Region—  
 (a) the Governor ;

(b) in the absence of the Governor, the Premier ; and

(c) in the absence of the Governor and the Premier, such other member of the Council as the Governor, acting in his discretion, may appoint.

(2) There shall preside at meetings of the Executive Council of the Western Region or the Eastern Region—

(a) the Premier ; or

(b) in the absence of the Premier, such other Regional Minister as the Premier may appoint".

(a) 53 & 54 Vict. c. 37.

(b) S.I. 1954/1146 (1954 II, p. 2829), 1955/432 (1955 II, p. 3163) and 1956/836.

Amendment of s. 117 of Order of 1954.

5. Section 117 of the principal Order is hereby revoked and the following section is substituted :—

“Summoning Executive Councils of Regions and quorum therein. 117. (1) (a) The Executive Council of the Northern Region shall not be summoned except by the authority of the Governor, acting in his discretion :  
Provided that the Governor shall summon the Council if the Premier requests him in writing so to do.

(b) No business shall be transacted in the Executive Council of the Northern Region if objection is taken by any member present that, in addition to the Governor or other member presiding, there are present less than eight members.

(2) (a) The Executive Council of the Western Region or the Eastern Region shall not be summoned except by the authority of the Premier of the Region.

(b) No business shall be transacted in the Executive Council of the Western Region or the Eastern Region if objection is taken by any member present that, in addition to the Premier or other member presiding, there are present less than six members.”

Amendment of s. 118 of Order of 1954.

6. Section 118 of the principal Order is hereby amended by the deletion of sub-section (2) and the substitution of the following sub-section :—

“(2) (a) The Governor of the Northern Region may, when presiding in the Executive Council of the Region, give a casting vote if on any question the votes are equally divided, but shall not have an original vote.

(b) A member of the Executive Council of a Region other than the Governor of the Northern Region shall have an original vote in the Council, and may, when presiding in the Council, also give a casting vote if on any question the votes are equally divided.”

Insertion of new s. 123A in Order of 1954.

7. The principal Order is hereby amended by the insertion after section 123 of the following section :—

“Governor of Western and Eastern Regions to be kept informed concerning administration of government. 123A. (1) The Premier of the Western Region or the Eastern Region shall—

(a) cause to be transmitted to the Governor copies of all papers submitted for consideration by the Executive Council of the Region at the same time as those papers are transmitted to the members of the Council ;

(b) cause the Governor to be informed of the summoning of any meeting of the Council and of the matters to be discussed at that meeting at the same time as members of the Council are so informed ; and

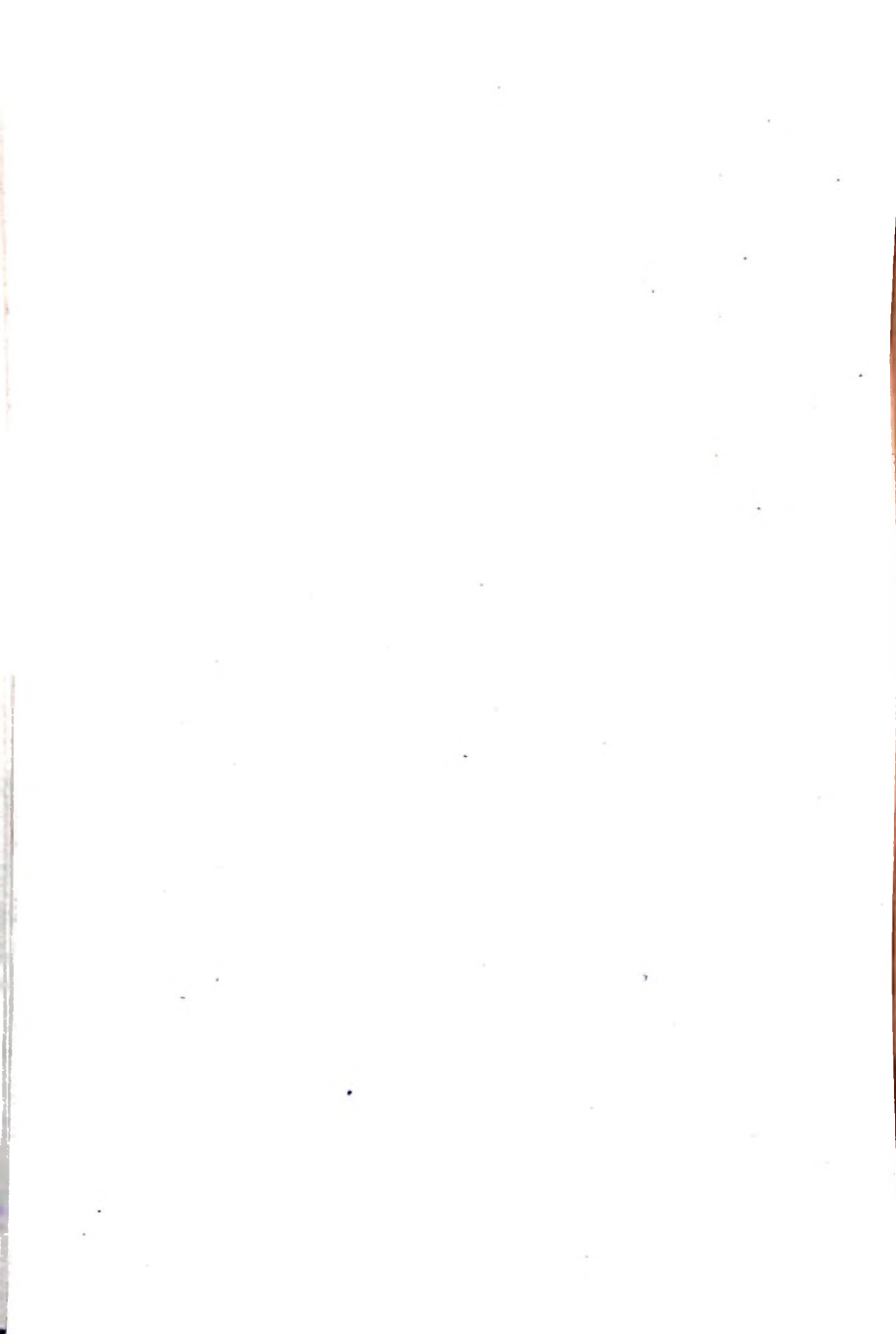
(c) cause the Governor to be furnished, immediately after each meeting of the Council, with a copy of the record of the proceedings at that meeting, showing the matters discussed and the conclusions reached by the Council at that meeting.

(2) The Premier of the Western Region or the Eastern Region shall keep the Governor fully informed concerning the general conduct of the government of the Region, and shall furnish the Governor with such information as he may request with respect to any particular matter relating to the government of the Region.”

EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order amends the provisions of the Nigeria (Constitution) Order in Council, 1954, relating to the Executive Councils of the Regions.



ADDITIONAL INSTRUCTIONS to Our Governors of the Northern, Western and Eastern Regions of Nigeria or other Officer for the time being Administering the Government of any of the said Regions.

DATED THE 8TH DAY OF AUGUST, 1957.

ELIZABETH R.

We do hereby direct and enjoin and declare Our will and pleasure as follows :—

1. These Instructions shall be construed as one with the Instructions under Our Sign Manual and Signet to the Governors of the Northern, Western and Eastern Regions of Nigeria bearing date the third day of September, 1954 (hereinafter called "the principal Instructions").

Constitution.

2. Clause 3 of the principal Instructions is hereby revoked and the following clause is substituted :—

Replacement of clause 3 of Instructions of 1954.

3. (1) Whenever any person is discharging any of the functions of the office of Governor of a Region for and on behalf of the Governor under section 15 of the Offices Order, these Instructions, so far as they are applicable to any such function, shall be deemed to be addressed to that person and shall be observed by him.

"Instruction to be observed by Deputies to Governors."

(2) Any such person may, if he thinks fit, apply to Us through a Secretary of State for Instructions in any matter ; but he shall forthwith transmit to the Governor a copy of every despatch or other communication addressed to Us in that behalf."

3. Clause 6 of the principal Instructions is hereby revoked and the following clause is substituted :—

Replacement of clause 6 of Instructions of 1954.

6. (1) The Governor shall not dismiss the Premier of a Region unless it appears to him that the Premier no longer commands a majority in the House of Assembly of the Region.

"Dismissal of Premier."

(2) The Governor shall dismiss the Premier of a Region if a vote of no confidence in the Government of the Region is carried in the House of Assembly of the Region and the Premier does not within three days either resign or recommend a dissolution of the Legislative Houses of the Region."

4. Clause 7 of the principal Instructions is hereby amended in its application to the Western Region and the Eastern Region by the deletion from paragraph (2) of sub-paragraph (a), and the substitution of the following sub-paragraph :—

Amendment of clause 7 of Instructions of 1954.

"(a) the powers conferred on the Governor by sections 14, 15 and 18 of the Offices Order, and the power to make appointments conferred upon him by section 17 of that Order ;"

5. Paragraph (2) of clause 8 of the principal Instructions is hereby amended by the deletion from sub-paragraph (a) of the words "clause 9 of these Instructions" and the substitution of the words "clause 7 of these Institutions".

Amendment of clause 8 of Instructions of 1954.

Circumstances in which Governor of Western or Eastern Region need not consult, or act in accordance with advice of, Executive Council.

6. (1) Clause 8 of the principal Instructions shall not apply in relation to the Western Region or the Eastern Region.

(2) The Governor of the Western Region or the Eastern Region shall not be obliged to consult the Executive Council of the Region in the exercise of any power conferred upon him (including any power so conferred by the Constitution Order) in any case in which he considers it necessary, in order to protect the interests of the public service of the Region, to exercise that power before the Council can be consulted, but in any such case the Governor shall, as soon as practicable, communicate to the Council the measures he has adopted, with the reasons therefor.

(3) (a) In any case in which he consults with the Executive Council of the Region in pursuance of section 105 of the Constitution Order or of clause 7 of the principal Instructions, the Governor of the Western Region or the Eastern Region may act otherwise than in accordance with the advice of the Council if—

(i) he considers it necessary to act against the advice of the Council in order to protect the interests of the public service of the Region; or

(ii) he considers it necessary in the interests of the good government of the Region to act against the advice of the Council in the exercise of the powers conferred upon him by section 37 of the Constitution Order.

(b) Whenever the Governor so acts otherwise than in accordance with the advice of the Executive Council—

(i) he shall report the matter to Us through a Secretary of State, at the first convenient opportunity, with the reasons for his action; and

(ii) any member of the Executive Council may require that there be recorded in the minutes of the Council any advice or opinion that he may give upon the question, with the reasons therefor.

Clause 9 of Instructions of 1954 no longer to apply to Western and Eastern Regions.

7. Clause 9 of the principal Instructions shall not apply in relation to the Western Region or the Eastern Region.

Exercise of powers conferred by s. 65 of Constitution Order by Governors of Western and Eastern Regions.

8. (1) Clause 11 of the principal Instructions is hereby amended in its application to the Western Region and the Eastern Region by the deletion of paragraphs (a), (c), (e), (f) and (h), and by the insertion after paragraph (h) of the following paragraphs:—

“(i) any Bill containing provisions which appear to him to impair or prejudice the exercise of the executive authority of the Federal Government or to endanger the continuance of federal government in Nigeria; or

(j) any Bill containing provisions which appear to him—

(i) to alter, to the injury of the stock-holder, any provision relating to stock forming part of the public debt of the Federal Government which is registered in the United Kingdom in accordance with provisions of the Colonial Stock Acts, 1877 to 1948; or

(ii) to involve a departure from the original contract in respect of any such stock."

(2) The Governor of the Western Region or the Eastern Region shall, in the exercise of the powers conferred upon him by section 65 of the Constitution Order, consult, and act in accordance with the advice of, the Executive Council of the Region except in relation to the classes of Bill specified in clause 11 of the principal Instructions, as amended by paragraph (1) of this clause.

(3) In deciding whether a Bill falls within any class of Bill specified in clause 11 of the principal Instructions, as amended by paragraph (1) of this clause, or whether an urgent necessity exists within the meaning of the proviso to that clause, the Governor of the Western Region or the Eastern Region shall act in his discretion.

9. Clause 13 of the principal Instructions is hereby amended—

- (a) by renumbering the clause as paragraph (1) of clause 13 ; and
- (b) by the insertion after paragraph (1) of the following paragraph :—

Amendment of clause 13 of Instructions of 1954.

"(2) Whenever the Governor of a Region has reserved any Bill for the signification of Our pleasure, he shall forthwith transmit to Us, through a Secretary of State, a transcript in duplicate of the Bill, duly authenticated under the Public Seal of the Region and by his own signature, together with an explanation of the reasons and occasion for the passing of the Bill."

10. The Governor of the Western Region or the Eastern Region shall not exercise the powers conferred upon him by sections 64 or 67 of the Constitution Order unless he considers it necessary to do so in order to protect the interests of the public service of the Region.

Exercise of powers conferred by ss. 64 and 67 of Constitution Order by Governors of Western and Eastern Regions.

11. The Governor of the Western Region or the Eastern Region shall, in the exercise of his power to dissolve the Legislative Houses of the Region, act on the recommendation of the Premier of the Region :

Exercise of power to dissolve Legislative Houses of Western and Eastern Regions.

Provided that—

(a) if the Premier recommends a dissolution and the Governor, acting in his discretion, considers that the government of the Region can be carried on without a dissolution and that a dissolution would not be in the interests of the Region, he may refuse to dissolve the Legislative Houses of the Region ;

(b) if a vote of no confidence in the Government of the Region is passed by the House of Assembly of the Region and the Premier does not within three days either resign or recommend a dissolution, the Governor, acting in his discretion, may dissolve the Legislative Houses of the Region ;

(c) if the Governor, acting in his discretion, is satisfied that the House of Assembly of the Region has been unable to deal with a motion of no confidence in the Government of the Region within a reasonable time by reason of an adjournment of the House due to lack of a quorum, he may, acting in his discretion, dissolve the Legislative Houses of the Region ;

(d) if the office of Premier is vacant and the Governor, acting in his discretion, is satisfied that no person who commands a majority in the House of Assembly can be found within a reasonable time, he may, acting in his discretion, dissolve the Legislative Houses of the Region.

Summoning meetings of Houses of Assembly of Western and Eastern Regions.

12. The Governor of the Western Region or the Eastern Region, acting in his discretion, may summon a meeting of the House of Assembly of the Region if he is satisfied that notice of a motion of no confidence in the Government of the Region has been given and that the House is not otherwise likely to meet within a reasonable time after the giving of the notice.

Powers exercisable on recommendation of Premier.

13. Where by these Instructions the Governor of a Region is directed to exercise any power on the recommendation of the Premier of the Region, he shall exercise the power in accordance with that recommendation and shall not be obliged to consult with the Executive Council of the Region in the exercise of the power.

GIVEN at Our Court at Saint James's this Eighth day of August, 1957 in the sixth year of Our Reign.

**W.R.L.N. 197 of 1957***The Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956 (No. 4 of 1957)***THE STATUTORY POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS (TRANSFER) ORDER, 1957**

In exercise of the powers conferred upon the Governor in Council by section 2 of the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956, the following Order is hereby made :—

1. This Order may be cited as the Statutory Powers and Duties of Administrative Officers (Transfer) Order, 1957. Short title.
2. The powers and duties specified in the third column of the Schedule conferred or imposed upon a Provincial Adviser or Administrative Officer by the provisions of the enactments set out in the first and second columns of the Schedule are hereby transferred to the holders of the offices set out opposite those respective provisions in the fourth column of the Schedule. Transfer of certain functions of provincial advisers and administrative officers.
3. In consequence of the transfer of the powers and duties effected by paragraph 2 the amendments specified in the fifth column of the Schedule are hereby made in the enactments specified in that column. Amendments to enactments consequential on transfer.
4. Where the exercise or performance of any power or duty conferred or imposed by any enactment specified in the Schedule to this Order has been commenced in relation to any matter before the commencement of this Order, such exercise or performance may be carried on and completed by the holder of the office to whom the power or duty is transferred under the provisions of this Order. Transitional provisions.

## SCHEDULE

Enactment	Section	Power or duty	Officer or authority to whom power transferred	Amendment to enactment
	1			
	2			
	3			
	4			
	5			
The Forestry Ord-	23 (1)	To approve the manner of announcing the intention to constitute a local government council or native authority forest reserve.	Regional Minister charged with responsibility for forestry.	In section 2 of the Forestry Ordinance, <i>insert</i> after the definition of "protected tree" the following definition— "Provincial Forest Officer means the Senior Assistant Conservator of Forests or Assistant Conservator of Forests within whose territorial charge anything is done under this Ordinance".
	23 (3)	To exercise in relation to local government council or native authority forest reserves, the powers under the proviso to section 16 of the Forestry Ordinance.	Regional Minister charged with responsibility for forestry.	(1) In section 2 of the Forestry Ordinance, <i>delete</i> the definition of "Provincial Adviser" and <i>insert</i> before the definition of "minor forest produce" the following definition— "the Minister" means the Regional Minister charged, in accordance with the Nigeria (Constitution) Order in Council, 1954, with responsibility for forestry matters ;
	23 (4)	To amend the boundaries of a reserve.	Regional Minister charged with responsibility for forestry.	(2) In section 23 of the Forestry Ordinance, for "Provincial Adviser" wherever it occurs, <i>substitute</i> "Minister".
	23 (5)	To cause further enquiries to be made.	Regional Minister charged with responsibility for forestry.	
	33 (1)	To supervise and control the management of native authority and local government council forest reserves.	Regional Minister charged with responsibility for forestry.	In section 33 of the Forestry Ordinance for "Provincial Adviser" <i>substitute</i> "Minister".
	34	To approve the declaration of a communal forestry area.	Regional Minister charged with responsibility for forestry.	In section 34 of the Forestry Ordinance for "Provincial Adviser" <i>substitute</i> "Minister".
	37 (1)	To approve native authority or local government council rules.	Regional Minister charged with responsibility for forestry.	In section 37 of the Forestry Ordinance for "Provincial Adviser" <i>substitute</i> "Minister".

Enactment	Section	Power or duty	Officer or authority to whom power transferred	4	5	Amendment to enactment
1	2	To approve that an area shall cease to be a communal forestry area.	Regional Minister charged with responsibility for forestry.	4	5	In section 38 of the Forestry Ordinance for "Provincial Adviser" substitute "Minister".
•	39	To require any person to enter upon any land for the purposes prescribed.	Chief Conservator of Forests.	Chief Conservator of Forests.	In section 39 of the Forestry Ordinance for "Provincial Adviser or the Conservator of Forests" substitute "Chief Conservator of Forests".	In section 39 of the Forestry Ordinance for "Provincial Adviser or the Conservator of Forests" substitute "Chief Conservator of Forests".
*The Wild Animals Preservation Ordinance.	3	To approve persons as resident non-natives.	Provincial Forest Officer	Provincial Forest Officer	In section 3 of the Wild Animals Preservation Ordinance in the definition of "resident non-native" for "Provincial Adviser" substitute "Provincial Forest Officer".	In section 3 of the Wild Animals Preservation Ordinance in the definition of "resident non-native" for "Provincial Adviser" substitute "Provincial Forest Officer".
•	9	To give permission to possess, purchase, sell, transfer or export any trophy or to manufacture from a trophy.	Provincial Forest Officer	Provincial Forest Officer	In section 9 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "Provincial Forest Officer" and for "the administrative officer" substitute "the Provincial Forest Officer".	In section 9 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "Provincial Forest Officer" and for "the administrative officer" substitute "the Provincial Forest Officer".
•	14 (1)	To receive reports of animals or birds killed in self-defence or defence of another person and to accept tusks or horns.	Provincial Forest Officer	Provincial Forest Officer	In sub-section (1) of section 14 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "the Provincial Forest Officer".	In sub-section (1) of section 14 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "the Provincial Forest Officer".
•	26	To authorise the destruction of animals injuring food supplies or crops or endangering life.	Provincial Forest Officer	Provincial Forest Officer	In section 26 of the Wild Animals Preservation Ordinance for "Provincial Adviser" substitute "the Provincial Forest Officer".	In section 26 of the Wild Animals Preservation Ordinance for "Provincial Adviser" substitute "the Provincial Forest Officer".
•	31 (1)	To inspect registers of protected animals or birds hunted, killed or captured.	Provincial Forest Officer	Provincial Forest Officer	In sub-section (1) of section 31 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "Provincial Forest Officer" and for "the administrative officer" substitute "the Provincial Forest Officer".	In sub-section (1) of section 31 of the Wild Animals Preservation Ordinance for "an administrative officer" substitute "Provincial Forest Officer" and for "the administrative officer" substitute "the Provincial Forest Officer".
•	37 (1)	To grant permits to hunt, kill or capture animals or birds mentioned in the First or Second Schedule.	Provincial Forest Officer	Provincial Forest Officer	In sub-section (1) of section 37 of the Wild Animals Preservation Ordinance for "Provincial Adviser" substitute "Provincial Forest Officer".	In sub-section (1) of section 37 of the Wild Animals Preservation Ordinance for "Provincial Adviser" substitute "Provincial Forest Officer".

SCHEDULE—*contd.*

<i>Enactment</i>	<i>Section</i>	<i>Power or duty</i>	<i>Officer or authority to whom power transferred</i>	<i>Amendment to enactment</i>
1	2	3	4	5
	37 (3) (b)	To receive any report of the killing of an elephant or rhinoceros.	Provincial Forest Officer	In paragraph (b) of sub-section (3) of section 37 of the Wild Animals Preservation Ordinance for "administrative officer in charge of the district" substitute "Provincial Forest Officer".
	38	To search for and seize the remains of any animal or bird killed or captured in contravention of the Ordinance.	Provincial Forest Officer	In section 38 of the Wild Animals Preservation Ordinance for "administrative, police or forest officer" substitute "police or forest officer".
				In section 42 (1) (b) of the Wild Animals Preservation Ordinance for "the Resident of the Province" substitute "the Provincial Forest Officer".

Made by the Governor in Council at Ibadan this 24th day of June, 1957.

A. HOLDEN,  
*Secretary to the Premier and  
 Executive Council*

W.R.L.N. 198 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 15TH AUGUST, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (the Minister of Agriculture and Natural Resources) Notice, 1957.
2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

<i>Column 1</i>	SCHEDULE	<i>Column 2</i>
The Minister of Agriculture and Natural Resources.		The Minister of Development.

GIVEN at Ibadan this 5th day of August, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*



**W.R.L.N. 199 of 1957***The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF POWERS

DATE OF COMMENCEMENT : 24TH AUGUST, 1957

In exercise of the powers conferred by section 33A of the Interpretation Ordinance, the following Notification is hereby made :—

1. This Notice may be cited as the Delegation of Governor's Powers (Amendment) (No. 2) Notice, 1957. Short title.  
Amendment  
of W.R.L.N.  
72 of 1956.

2. The First Schedule to the Delegation of Governor's Powers Notice, 1955, is amended by substituting for the words "Provincial Adviser, Delta Province" in the third column the words "Commissioner of Lands".

ISSUED at Ibadan, this 16th day of August, 1957.

By His Excellency's Command,

A. BOWER,  
*for Secretary to the Premier  
and Executive Council*

**W.R.L.N. 200 of 1957***The Local Government Law, 1957**(No. 12 of 1957)*THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : IKEJA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikeja District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ikeja District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 16th day of May, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957, be adopted.

W.R.L.N. 55  
of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 201 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1956**  
**SAPELE URBAN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Sapele Urban District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Sapele Urban District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 28th day of June, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 12  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 202 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE CONTROL OF SHEEP AND GOATS ADOPTIVE BYE-LAWS**  
**ORDER, 1956 : SAPELE URBAN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Sapele Urban District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Sapele Urban District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 28th day of June, 1957, that the Control of Sheep and Goats Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 14  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

## W.R.L.N. 203 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : IRRUA/EWU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irrua/Ewu District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Irrua/Ewu District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 8th day of May, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted, substituting the following for the schedule thereof. W.R.L.N. 55 of 1957.

## SCHEDULE

Type of Vehicle	BYE-LAW	per day	
		s	d
Motor Vehicle ... ..	... ..	1	0
Public Transport Vehicle	... ..	3	0

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

## W.R.L.N. 204 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1956  
IKEJA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikeja District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ikeja District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 6th day of May, 1957, that the Registration of Births and Deaths Adoptive Bye-laws Order, 1956, be adopted. W.R.L.N. 15 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 205 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF MARRIAGES ADOPTIVE BYE-LAWS  
ORDER, 1956 : EKITI WESTERN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

W.R.L.N. 4  
of 1957.

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Western District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ekiti Western District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 13th day of April, 1957, that the Registration of Marriages Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 206 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : EKITI WESTERN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

W.R.L.N. 55  
of 1957.

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Western District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ekiti Western District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 13th day of April, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 207 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1956 : IKORODU LOCAL COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikorodu Local Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ikorodu Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 17th day of May, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 13  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 208 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF MARRIAGES ADOPTIVE BYE-LAWS  
ORDER, 1956 : ILARO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ilaro District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ilaro District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 18th day of April, 1957, that the Registration of Marriages Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 4  
of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 209 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS  
ORDER, 1956 : THE EKAMARUN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

W.R.L.N. 11  
of 1956.

Notice is hereby given that in exercise of the powers conferred upon the Ekamarun District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ekamarun District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 18th day of May, 1957, that the Vehicle Licensing Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 210 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS  
ORDER, 1956 : IJEBU-IGBO DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

W.R.L.N. 11  
of 1956.

Notice is hereby given that in exercise of the powers conferred upon the Ijebu-Igbo District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ijebu-Igbo District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 4th day of May, 1957, that the Vehicle Licensing Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 211 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : EGBADO-KETU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbado-Ketu District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Egbado-Ketu District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 16th day of May, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N. 55  
of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 212 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : ADO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ado District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ado District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 2nd day of May, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N. 55  
of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

**W.R.L.N. 213 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1956**  
**IJEBU-IGBO DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ijebu-Igbo District Council by sections 82 (2) and 271 of the Western Region Local Government Law, 1957, the Ijebu-Igbo District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 4th day of May, 1957, that the Markets Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 10  
of 1956.

**J. R. V. A. BROMAGE,**  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 13th August, 1957.

## W.R.L.N. 214 of 1957

*The Income Tax Law, 1957 (No. 16 of 1957)*THE INCOME TAX (APPEALS TO LOCAL COMMITTEES)  
RULES, 1957

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

In exercise of the powers conferred by sub-section (4) of section 51 of the Income Tax Law, 1957, upon the Regional Minister charged, in accordance with the Nigeria (Constitution) Order in Council, 1954, with responsibility for the exercise of the powers and performance of the duties conferred and imposed by the Law on the Minister, the following Rules are hereby made :—

## PART I.—INTRODUCTORY

1. These Rules may be cited as the Income Tax (Appeals to Local Committees) Rules, 1957.

2. In these Rules—

Interpretation.

“accountant” means any person possessing a professional accountancy qualification acceptable to the Committee ;

“the Clerk” means the person appointed under rule 7 to be Clerk to the Committee ;

“the Committee” means each local committee appointed under sub-section (1) of section 50 of the Law ;

“the Law” means the Income Tax Law, 1957 ;

“Legal practitioner” means any person qualified and entitled to practise as a barrister or solicitor in the Western Region ;

“respondent” means the Commissioner as defined in the Law.

PART II.—GENERAL PROVISIONS AS TO PROCEEDINGS OF  
LOCAL COMMITTEES

3. The Committee shall meet at such times and places as the Chairman may appoint. Meetings.

4. At any meeting of the Committee—

Chairman or elected member to preside.

(a) the Chairman ; or

(b) in the absence of the Chairman from a sitting, such member as the Committee shall elect for the purpose, shall preside :

Provided that no member who was absent at any stage of the hearing of an appeal shall preside at that hearing.

5. Three members of the Committee shall form a quorum.

Quorum.

6. (1) In determining an appeal the opinion of the majority of the members of the Committee entitled to vote thereon shall, in the event of members disagreeing, be the decision of the Committee.

Determination of questions.

(2) In the event of an equality of votes, the Chairman or other member presiding, shall have a casting vote.

(3) No member shall be entitled to vote on the decision on an appeal if he was not present throughout the hearing of that appeal.

(4) A member of the Committee shall not take part in any proceedings of the Committee in the outcome of which he has a personal interest.

PART III.—PROCEDURE ON APPEALS

Clerk. 7. The Committee may, with the approval of the Minister, appoint any person to be Clerk to the Committee.

Manner of giving notice of appeal. Schedule. 8. An appeal for which provision is made by section 51 of the Law shall be brought by filing with the Clerk a notice in the form specified in the Schedule.

Notification of hearing. 9. (1) The Clerk shall inform the appellant and the respondent of the date fixed for the hearing of the appeal.

(2) The appellant and the respondent shall be informed of the date fixed for the hearing of the appeal by notice in writing sent by registered post to the address for service given by the appellant in his notice of appeal and to the office of the respondent, as the case may be.

Appearance of parties. 10. (1) If, on the day of the hearing or at any adjournment of the appeal, the appellant does not appear, the appeal shall be struck out and the assessment confirmed, unless the Committee thinks fit, for good and sufficient cause, to order otherwise.

(2) If the appellant appears before the Committee on the day or days fixed for the hearing of his appeal, the Committee shall, whether the respondent appears or not, hear the appeal and give its decision according to the merits of the case.

Adjournments. 11. The Committee may in its discretion adjourn the hearing of an appeal from time to time.

Order or proceedings. 12. (1) At the hearing of the appeal, the appellant shall present his case and may call witnesses and produce documentary evidence in support of his case; and the respondent, if present, may do likewise.

(2) If the respondent adduces evidence he may address the Committee immediately thereafter and the appellant shall be entitled to address the Committee on the whole appeal after the respondent has finished his address.

Evidence. 13. (1) Subject to paragraphs (2) and (3) of this rule, the Committee may hear witnesses and receive such documentary evidence as in its opinion may assist it in determining the appeal.

(2) Evidence shall not be received by the Committee at the hearing of an appeal in support of a ground of appeal which has not been set out in sufficient detail, but the Committee may permit the particulars of any such ground of appeal to be amended.

Cap. 63. (3) A person shall not be compelled to answer any question or produce any document which, in accordance with the provisions of the Evidence Ordinance, he could not be compelled to answer or produce in proceedings before a court of law.

14. (1) The Committee may require any witness appearing before it to give evidence on oath ; and the Chairman or person presiding is authorised to administer the oath. Examination of witnesses.

(2) The Committee may put questions to any witness.

15. At the conclusion of the proceedings the Committee shall, either at the same meeting or at a subsequent meeting, give its decision on the appeal, and the decision shall be recorded in the form of an order and signified under the hand of the Chairman. Decision.

16. (1) A record of the proceedings and decisions of the Committee shall be kept by the Clerk. Record of proceedings.

(2) Any person appealing from a decision of the Committee shall be entitled to a copy of the proceedings and order of the Committee in the case in question.

17. In all proceedings before the Committee the appellant may be represented by a legal practitioner or an accountant and the Commissioner may be represented by any officer of his department or by any legal officer of the Government of the Western Region. Parties may be represented.

SCHEDULE

(RULE 8)

*The Income Tax Law, 1957 (No. 16 of 1957) (Section 51)*

NOTICE OF APPEAL TO LOCAL COMMITTEE

To The Local Committee for.....

TAKE NOTICE that I, .....  
of.....  
hereby appeal against the assessment of my income for the year of assessment.....

2. The particulars of my grounds of appeal are as follows :--  
.....  
.....  
.....

3. I claim that my chargeable income should be determined in the sum of.....

4. My address for service is.....  
.....

DATED.....

.....  
*Signature of Appellant*

MADE at Ibadan this 14th day of August, 1957.

J. O. OSUNTOKUN,  
*Minister of Finance*

**W.R.L.N. 215 of 1957***The Waterworks Ordinance (Cap. 227)***THE WATERWORKS (ILARO GENERAL WATER RATE)  
ORDER, 1957**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

- Short title. 1. This Order may be cited as the Waterworks (Ilaro General Water Rate) Order, 1957, and shall apply to the town of Ilaro.
- Levy of general water rate. 2. Subject to paragraph 4 of this Order, an annual general water rate is hereby levied on all male and female persons of or over sixteen years of age resident in the town of Ilaro.
- Schedule. 3. The said rate shall be as set forth in the Schedule.
- Exemptions. 4. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this Order :—  
 (a) Students in full time attendance at any school, college or training centre.  
 (b) Any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence.  
 (c) Owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :  
 Provided that no more than eight persons shall be exempted in respect of any one tenement.
- Rate to be payable in advance. 5. The general water rate imposed by this Order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957.
6. The Waterworks (Ilaro General Water Rate) Order, 1947, is hereby cancelled.

**SCHEDULE**

Per adult male	...	...	...	...	...	...	s	d
Per adult female	...	...	...	...	...	...	7	0
							5	0

MADE at Ilaro this 13th day of June, 1957, by the Ilaro District Council's Order.

B. A. GBOLAHAN OYEWOLE,  
*Acting Secretary,*  
Ilaro District Council

J. A. ADEJUMO,  
*Chairman,*  
Ilaro District Council

APPROVED by the Minister of Local Government this 3rd day of August, 1957.

A. O. ADEYI,  
*Minister of Local Government*

## W.R.L.N. 216 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE LOCAL GOVERNMENT SERVICE BOARD  
(PROCEDURE) REGULATIONS, 1957

DATE OF COMMENCEMENT : 9TH AUGUST, 1957

In exercise of the powers conferred upon the Governor-in-Council by section 95 of the Local Government Law, 1957, the following Regulations are hereby made :—

1. These Regulations may be cited as the Local Government Service Board (Procedure) Regulations, 1957. Citation.
2. In these regulations, unless the context otherwise requires :— Interpreta-  
tion.
  - “the Board” means the Local Government Service Board ;
  - “the Chairman” means the person appointed under section 92 of the Law as Chairman of the Board and includes a temporary chairman acting in the absence of the Chairman ;
  - “employee” means any person receiving emoluments from a council established under the Law and includes a member of the Unified Local Government Service ;
  - “functions” includes powers and duties ;
  - “member” means a member of the Board and includes the Chairman ;
  - “the secretary” means the person appointed under these regulations as Secretary of the Board.
3. (1) The Governor shall appoint a Secretary to the Board who shall be a member of the public service. Secretary.
  - (2) The Governor may grant leave of absence to the Secretary and during any such period of leave or any period of temporary absence or incapacity of the Secretary may appoint a person to act temporarily.
4. Every meeting of the Board shall be presided over by the Chairman ; provided that where the Chairman is absent from a meeting of the Board the Board may elect one of their number to act as Chairman at that meeting. Chairman.
5. The Chairman may call a meeting of the Board at any time either on his own motion or on the requisition of two members. Convening  
of meetings.
6. All decisions of the Board shall be by a majority of votes of the Chairman and the members present and voting provided that the Chairman shall have a second or casting vote whenever the voting shall be equal. Voting.
7. Two members shall form a quorum for a meeting. Quorum.
8. A record shall be kept of the members present and of the business transacted at every meeting of the Board. Any member who is present when a decision is made shall be entitled to dissent therefrom and to have his dissent and reasons therefor set out in the record of such meeting. Minutes.

Circulation  
of papers.

9. Decisions may be made by the Board without a meeting by circulation of the relevant papers to the Chairman and available members for the expression of their views in writing and a majority being in favour ; but any member shall be entitled to require that any such decision shall be deferred until the subject matter shall be considered at a meeting of the Board. Papers so circulated shall be circulated to each of the members present in Ibadan.

Power to  
summon  
employees.

10. The Board may require any council employee to attend and give evidence before it concerning any matter which it is required to consider in exercise of its functions and may require the production of any official document relating to such matter.

Failure of  
employee  
to attend.

11. Any council employee who without reasonable excuse fails to appear before the Board when notified to do so or who fails to comply with any request lawfully and properly made by the Board shall be guilty of a breach of discipline.

12. In the discharge of its functions the Board may in its discretion call for the advice of any person who may appear qualified to assist the Board by reason of experience, specialised knowledge or other relevant consideration.

MADE by the Governor-in-Council this 9th day of August, 1957.

A. BOWER,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 217 of 1957

*Forestry Ordinance (Cap. 75)*

## NEW OYO PLANTATION (OYO) FOREST RESERVE

DATE OF COMMENCEMENT : 29TH AUGUST, 1957

Notice is hereby given under section 5 (1) of the Forestry Ordinance (Chapter 75), that it is proposed to constitute as a Government Forest Reserve for the purposes of the Ordinance the lands described in the schedule hereto :—

And it is hereby declared as follows :—

1. That the said lands now form a protected forest within the meaning of the Ordinance.
2. That the said lands are lands at the disposal of Government.
3. That it is intended to constitute the said lands a Government forest reserve for the general purposes of Government.

2. It is further notified that the Governor has been pleased to appoint DANIEL ADUEYE OBIOMAH, Assistant Local Government Adviser, Oyo as the Reserve Settlement Officer for the purposes of the Ordinance to enquire into and determine the existence, nature and extent of any rights claimed by or alleged to exist in favour of any persons or communities or brought to the knowledge of the said Officer affecting the said lands or any other rights in or over the said lands.

## SCHEDULE

All that piece of land containing twenty-seven point nine acres or thereabouts situated in the south-east part of the Oyo Division of the Oyo Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are  $3^{\circ} 57'$  East :  $7^{\circ} 50'$  North. (Nigerian Survey 1/500,000, Sheet 9 of 1949), situated on the right hand side of the 1956 motor road from Awe to Oyo approximately 1 mile in a south-easterly direction from Oyo, and fixed by a straight line on a bearing of 80 degrees 30 minutes and at a distance of 47 feet from Survey Department Beacon No. PBM 3119 and marked by Beacon No. 8, by the right hand side of the 1956 motor road from Awe to Oyo on a general bearing of 312 degrees for a distance of 1,107 feet to Beacon No. 1 situated on the right hand side of the 1956 motor road from Awe to Oyo ; thence by a series of straight cut lines the bearings and lengths of which are as follows :—

From Beacon No.	Bearing	Length	To Beacon No.
1	$41^{\circ} 30'$	724 feet	2
2	$41^{\circ} 30'$	525 feet	3
3	$147^{\circ}$	522 feet	4
4	$162^{\circ} 30'$	379 feet	5
5	$128^{\circ} 30'$	243 feet	6
6	$172^{\circ}$	140 feet	7
7	$226^{\circ}$	865 feet	

to the starting point.

B 280

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All bearings are referred to True North and are adjusted from magnetic bearings observed during the month of September 1956.

All beacons are numbered concrete pillars.

MADE at Ibadan this 24th day of August, 1957.

By His Excellency's Command,

A. BOWER,  
*Acting Secretary to the Premier  
and Executive Council*

## W.R.L.N. 218 of 1957

*Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 20TH AUGUST, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Regional Legal Notice 208 of 1956, the following appointment as Registration Officer is hereby made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Afenmai East ...	Mr V. A. Adegoroye ...	... Whole Constituency

2. The appointment of the Secretary, Etsako District Council as Registration Officer notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

V. H. WARREN,  
*Electoral Commissioner,*  
*Western Region*

Ibadan : 20th August, 1957.



## W.R.L.N. 219 of 1957

ADDITIONAL INSTRUCTIONS to Our Governor-General and Commander-in-Chief of the Federation of Nigeria or other Officer for the time being Administering the Government of the Federation.

DATED THE 30TH DAY OF AUGUST, 1957.

ELIZABETH R.

We do hereby direct and enjoin and declare Our will and pleasure as follows :—

1. These Instructions shall be construed as one with the Instructions under Our Sign Manual and Signet to the Governor-General and Commander-in-Chief of the Federation bearing date the third day of September, 1954 (hereinafter called "the principal Instructions").

Construc-  
tion.

2. Clause 3 of the principal Instructions is hereby revoked and the following clause is substituted :—

Replacement  
of clause 3  
of Instruc-  
tions of 1954.

"Instructions to be observed by Deputy Governor-General. 3. (1) Whenever the Deputy Governor-General is discharging any of the functions of the office of Governor-General under section 6 of the Offices Order, these Instructions, so far as they are applicable to any such function, shall be deemed to be addressed to the Deputy Governor-General and shall be observed by him.

(2) The Deputy Governor-General, while discharging any of the functions of the office of Governor-General, may, if he thinks fit, apply to Us through a Secretary of State for Instructions in any matter ; but he shall forthwith transmit to the Governor-General a copy of every despatch or other communication addressed to Us in that behalf."

3. Clause 6 of the principal Instructions is hereby revoked and the following clause is substituted :—

Replacement  
of clause 6 of  
Instructions  
of 1954.

"Dismissal of Prime Minister. 6. The Governor-General shall not dismiss the Prime Minister unless it appears to him that the Prime Minister no longer commands a majority in the House of Representatives."

4. Clause 7 of the principal Instructions is hereby revoked.

Revocation  
of clause 7 of  
Instructions  
of 1954.

5. Clause 10 of the principal Instructions is hereby amended by the deletion from paragraph (2) of the words "If five or more members of the Council of Ministers request" and the substitution of the words "If the Prime Minister requests".

Amendment  
of clause 10  
of Instruc-  
tions of 1954.

6. Clause 14 of the principal Instructions is hereby amended—

Amendment  
of clause 14  
of Instruc-  
tions of 1954.

- (a) by renumbering the clause as paragraph (1) of clause 14 ; and  
(b) by the insertion after paragraph (1) of the following paragraph :—

"(2) Whenever the Governor-General has reserved any Bill for the signification of Our pleasure, he shall forthwith transmit to Us, through a Secretary of State, a transcript in duplicate of the Bill, duly authenticated under the Public Seal of the Federation and by his own signature, together with an explanation of the reasons and occasion for the passing of the Bill."

GIVEN at Our Court at Saint James's this Thirtieth day of August, 1957  
in the sixth year of Our Reign.

## W.R.L.N. 220 of 1957

*The Nigeria (Constitution) (Amendment No. 2)  
Order in Council, 1957*STATUTORY INSTRUMENTS, 1957 No. 1530  
WEST AFRICA

MADE ... .. 23RD AUGUST, 1957

LAID BEFORE PARLIAMENT ... 29TH AUGUST, 1957

COMING INTO OPERATION ... 30TH AUGUST, 1957

At the Court at Balmoral, the 23rd day of August, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890 (a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. (1) This Order may be cited as the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and shall be construed as one with the Nigeria (Constitution) Order in Council, 1954 to 1956 (b). Citation, construction and commencement.

(2) The Nigeria (Constitution) Orders in Council, 1954 to 1956, the Nigeria (Constitution) (Amendment) Order in Council, 1957 (c), and this Order may be cited together as the Nigeria (Constitution) Orders in Council, 1954 to 1957.

(3) This Order shall come into operation on the thirtieth day of August, 1957.

2. Section 2 of the Nigeria (Constitution) Order in Council, 1954, (hereinafter called "the principal Order") is hereby amended— Amendment of s. 2 of Order of 1954.

(a) by the insertion in sub-section (2) after paragraph (c) of the following paragraph :—

"(d) any reference to defence shall, without prejudice to its generality, be construed as including the organization, discipline, control and use of the armed forces of the Crown and the control and use of any establishments, installations and equipment pertaining thereto." ;

(b) by the deletion from sub-section (4) of all words in sub-paragraph (ii) of paragraph (a) after the words "the functions of that office" and the substitution of the words "and shall include, in the case of the Governor-General, the Deputy Governor-General, to the extent to which he is authorized to discharge the functions of the office of Governor-General, and, in the case of the Governor of a Region, the Deputy Governor of the Region, to the extent to which he is authorized to discharge the functions of the office of Governor" ;

(a) 53 & 54 Vict. c. 37.

(b) S.I. 1954/1146 (1954 II, p. 2829), 1955/432 (1955 II, p. 3163) and 1956/836.

(c) S.I. 1957/1363.

(c) by the deletion from sub-section (4) of the words "a public office" wherever they occur in paragraph (b) and the substitution of the words "an office of emolument under the Crown" ;

(d) by the insertion in sub-section (4) before the word "shall" wherever it occurs in paragraph (c) of the words "as amended" ; and

(e) by the deletion from sub-section (4) of the words "Temporary Member of the Council of Ministers" in sub-paragraph (i) of paragraph (d) ; and

(f) by the deletion from sub-section (4) of paragraph (e).

Amendment  
of s. 4 of  
Order of  
1954.

3. Section 4 of the principal Order is hereby amended—

(a) by the deletion from sub-section (2) of the words "acting in his discretion" in paragraph (b) ; and

(b) by the insertion in sub-section (2) after paragraph (c) of the following paragraph :—

"(d) In exercise of the powers conferred upon him by this sub-section the Governor of the Northern Region shall act in his discretion".

Amendment  
of s. 6 of  
Order of  
1954.

4. Section 6 of the principal Order is hereby amended by the deletion of paragraph (b).

Amendment  
of s. 7 of  
Order of  
1954.

5. Section 7 of the principal Order is hereby amended—

(a) by the deletion from sub-section (1) of the words "paragraphs (b), (c), (d) and (e)" in paragraph (a) and the substitution of the words "paragraphs (c), (d) and (e)" ; and

(b) by the deletion from sub-section (2) of the words "paragraphs (b), (c) and (d)" and the substitution of the words "paragraphs (c) and (d)".

Amendment  
of s. 10 of  
Order of  
1954.

6. (1) Section 10 of the principal Order is hereby amended—

(a) by the deletion from sub-section (1) of paragraph (d) and the substitution of the following paragraph :—

"(d) holds, or is acting in, any office of emolument under the Crown ; or" ; and

(b) by the insertion after sub-section (2) of the following sub-sections :—

"(3) (a) For the purposes of sub-section (1) of this section a person shall not be deemed to hold an office of emolument under the Crown by reason only that he is in receipt of a salary or other emoluments or any allowance in respect of his tenure of any office mentioned in paragraph (d) of sub-section (4) of section 2 of this Order.

(b) If it is declared by any law enacted by the Federal Legislature that any office shall be deemed not to be an office of emolument under the Crown for the purposes of sub-section (1) of this section, or that the person holding or acting in any office shall be deemed not to be a person holding or acting in an office of emolument under the Crown for those purposes, the provisions of that sub-section shall have effect accordingly.

(c) For the purposes of sub-section (1) of this section the office of any member of any body corporate incorporated directly by a law enacted by any legislature in Nigeria shall, save as otherwise provided in any law made under this sub-section, be deemed to be an office under the Crown".

(2) Section 14 of the principal Order shall continue to apply in relation to a Representative Member of the House of Representatives who immediately before the commencement of this Order was holding or acting in an office of emolument under the Crown as if paragraph (e) of sub-section (4) of section 2 of the principal Order had not been deleted by section 2 of this Order and as if section 10 of the principal Order had not been amended by sub-section (1) of this section ; but it shall only so apply to that member until such time as—

(a) the seat of that member in the House becomes vacant ; or

(b) the subsisting appointment of that member to that office expires or is terminated,  
whichever is the earlier.

7. Section 21 of the principal Order is hereby amended by the deletion from sub-section (1) of paragraph (a) and the substitution of the following paragraph :—

Amendment  
of s. 21 of  
Order of  
1954.

“(a) the Attorney-General of the Northern Region ;”.

8. (1) Section 39 of the principal Order is hereby amended—

Amendment  
of s. 39 of  
Order of  
1954.

(a) by the deletion from sub-section (1) of paragraph (d) and the substitution of the following paragraph :—

“(d) holds, or is acting in, any office of emolument under the Crown ; or” ; and

(b) by the insertion after sub-section (2) of the following sub-sections :—

“(3) (a) For the purposes of sub-section (1) of this section a person shall not be deemed to hold an office of emolument under the Crown by reason only that he is in receipt of a salary or other emoluments or any allowance in respect of his tenure of any office mentioned in paragraph (d) of sub-section (4) of section 2 of this Order.

(b) If it is declared by any law enacted by the Legislature of a Region or the Southern Cameroons that any office shall be deemed not to be an office of emolument under the Crown for the purposes of sub-section (1) of this section, or that the person holding or acting in any office shall be deemed not to be a person holding or acting in an office of emolument under the Crown for those purposes, the provisions of that sub-section shall have effect accordingly in their application to the House of Assembly of the Region or the House of Assembly of the Southern Cameroons, as the case may be.

(c) For the purposes of sub-section (1) of this section the office of any member of any body corporate incorporated directly by a law enacted by any legislature in Nigeria shall, save as otherwise provided in any law made under this sub-section, be deemed to be an office under the Crown”.

(2) Section 47 of the principal Order shall continue to apply in relation to an Elected Member of the House of Assembly of a Region or the Southern Cameroons who immediately before the commencement of this Order was holding or acting in an office of emolument under the Crown as if paragraph (e) of sub-section (4) of section 2 of the principal Order had not been deleted by section 2 of this Order and as if section 39 of the principal Order had not been amended by sub-section (1) of this section ; but it shall only so apply to that member until such time as—

(a) the seat of that member in the House becomes vacant ; or

(b) the subsisting appointment of that member to that office expires or is terminated,  
whichever is the earlier.

Amendment of s. 40 of Order of 1954.

9. Section 40 of the principal Order is hereby amended—

(a) by the deletion from sub-section (1) of the words "an Official Member of the Northern House of Assembly who has been appointed to that House by name or" and of paragraph (i) of the proviso ; and

(b) by the deletion from sub-section (4) of the words "Official or" wherever they occur in paragraph (a) and the words "Official Member or" in paragraph (b).

Amendment of s. 41 of Order of 1954.

10. Section 41 of the principal Order is hereby amended by the deletion from sub-section (1) of the words "an Official Member of the Northern House of Assembly who has been appointed to that House by name, or" and the words "or, in the case of an Official Member of the Northern House of Assembly, because he is administering the government of the Northern Region".

Revocation of s. 42 of Order of 1954.

11. Section 42 of the principal Order is hereby revoked.

Insertion of ss. 56A and 56B in Order of 1954.

12. The principal Order is hereby amended by the insertion after section 56 of the following sections :—

"Electricity and gas.

56A. (1) Subject to the provisions of this section, a law enacted by the Federal Legislature may make provision with respect to electricity or gas in relation to any Region or the Southern Cameroons.

(2) Save to the extent that it may be authorised in that behalf by a law enacted in pursuance of section 52 of this Order, the Federal Legislature shall not make a law in pursuance of sub-section (1) of this section that—

(a) prohibits or restricts the establishment by or on behalf of the Government of a Region or the Southern Cameroons of an agency for the manufacture, distribution or supply of electricity or gas in that Region or the Southern Cameroons, as the case may be ; or

(b) regulates the production, distribution or supply of electricity or gas by the Government of a Region or the Southern Cameroons or any such agency.

(3) In this section "gas" does not include natural gas.

Establishment of Banks by Legislatures of Regions and Southern Cameroons.

56B. A law enacted by the Legislature of a Region or the Southern Cameroons may establish an authority for the purpose of carrying on (subject to and in compliance with the laws enacted by the Federal Legislature for the time being in force, and in particular such of those laws as relate to banks and banking) the business of banking in Nigeria or elsewhere, notwithstanding that banks and banking are not matters with respect to which the Legislature of a Region or the Southern Cameroons, as the case may be, is otherwise competent to make laws, and may make such provision for the constitution of that authority, and for regulating the performance by that authority of its functions, as is not inconsistent with the laws enacted by the Federal Legislature for the time being in force."

13. (1) Section 57 of the principal Order is hereby amended by the deletion of sub-section (3) and the substitution of the following sub-section:—

Amendment  
of s. 57 of  
Order of  
1954.

“(3) Subject to the provisions of this Order—

(a) an existing law shall, in relation to any part of Nigeria other than Lagos, have effect, in so far as it relates to any matter included in the Exclusive Legislative List, as if it were a law enacted by the Federal Legislature ;

(b) an existing law shall, so far as it relates to any matter other than a matter included in the Exclusive Legislative List, have effect—

(i) in relation to a Region, as if it were a law enacted by the Legislature of that Region ;

(ii) in relation to the Southern Cameroons, as if it were a law enacted by the Legislature of the Southern Cameroons :

Provided that the Police Ordinance (d) and any Ordinance amending that Ordinance shall have effect as if it were a law enacted by the Federal Legislature.”

(2) (a) A law in force or having any effect immediately before the commencement of this Order that was enacted by the Federal Legislature shall, in so far as it provides for the amendment of any provision of an existing law that relates to a matter included in the Concurrent Legislative List, be deemed after the commencement of this Order—

(i) in relation to a Region, to have been enacted by the Legislature of that Region ;

(ii) in relation to the Southern Cameroons, to have been enacted by the Legislature of the Southern Cameroons.

(b) In this sub-section the expression “existing law” has the meaning assigned to it by sub-section (1) of section 57 of the principal Order but does not include the Police Ordinance or any Ordinance amending that Ordinance.

14. Section 60 of the principal Order is hereby amended—

Amendment  
of s. 60 of  
Order of  
1954.

(a) by the deletion from sub-section (2) of the words “acting in his discretion” in paragraph (b) ; and

(b) by the insertion in sub-section (2) after paragraph (d) of the following paragraph :—

“(e) In exercise of the powers conferred upon him by this sub-section the Governor of the Northern Region shall act in his discretion.”

15. Section 62 of the principal Order is hereby revoked and the following section is substituted :—

Replacement  
of s. 62 of  
Order of  
1954.

“Bills and motions in House of Representatives affecting public officers, etc. 62. (1) In this section “reserved Bill or motion” means any Bill or motion that would effect any alteration in the salary, allowances or conditions of service (including leave, passages and promotion) of any public officer, or in the law, regulations or practice governing the payment of pensions, gratuities or other like benefits to any public officer or former public officer or his widow, children, dependants or personal representatives.

(d) Laws of Nigeria, Rev. 1948, Chapter 172.

(2) It shall be the duty of the Speaker or other person presiding in the House of Representatives, or in any committee thereof, to consider whether any Bill or motion before the House or the committee, as the case may be, is a reserved Bill or motion, and if he is of opinion that it is a reserved Bill or motion he shall forthwith so inform the House and the Governor-General, and no further proceedings shall, save with the consent of the Governor-General, be taken upon the Bill or motion during the period commencing on the day on which the House is informed or the day on which the Governor-General is informed, whichever is the earlier, and ending two days after the day on which the Governor-General is informed.

(3) The Governor-General may, with respect to any Bill or motion that is before the House of Representatives, or any committee thereof, at any time give notice to the Speaker or other person presiding in the House or the committee, as the case may be, that the Bill or motion is, in the opinion of the Governor-General, a reserved Bill or motion, and when such notice has been given, no further proceedings shall, save with the consent of the Governor-General, be taken upon the Bill or motion.

(4) Where a Bill or motion, other than a motion for the amendment of a Bill, appears to the Governor-General to be a Bill or motion that would affect any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially, then—

(a) in the case of a Bill, he shall, when the Bill is presented for his assent, reserve the Bill for the signification of Her Majesty's pleasure ;

(b) in the case of a motion, he may, within a period of seven days from the date on which it was carried, certify by writing under his hand that he considers that any alteration that has been or would be effected by such motion is one that affects, or would so affect, any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially, and in such case the motion shall not have effect unless and until it is approved by a Secretary of State.

(5) Any such notice as is referred to in sub-section (3) of this section may be given by the Governor-General in such manner as he may think fit.

(6) The powers conferred by the foregoing provisions of this section on the Governor-General shall be exercised by him in his discretion.

(7) The Governor-General shall not withhold consent to the taking of further proceedings upon any Bill or motion in respect of which notice has been given in accordance with sub-section (3) of this section if, in his opinion, any alteration that would be effected by such Bill or motion would not affect any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially.

(8) The provisions of a Bill or motion that would effect only the abolition of any office that is vacant shall be deemed not to affect any person prejudicially for the purposes of this section.

(9) Nothing in this section shall be construed so as to derogate from the powers of the House of Representatives conferred by this Order to debate or dispose of any Bill or motion relating to the creation of any new office."

16. The principal Order is hereby amended by the insertion after section 62 of the following section :—

Insertion  
of s. 62A  
in Order of  
1954.

"Bills and motions in Legislative Houses of Northern Region and Southern Cameroons affecting public officers, etc.

62A. (1) If the Governor or the Attorney-General of the Northern Region gives notice to either Legislative House of the Northern Region or any committee thereof that, in his opinion, a Bill or motion that is before the House or the committee, as the case may be, would effect any alteration in the salary, allowances or conditions of service (including leave, passages and promotion) of any public officer, or in the law, regulations or practice governing the payment of pensions, gratuities or other like benefits to any public officer or former public officer or his widow, children, dependants or personal representatives, the following provisions of this sub-section shall have effect, that is to say—

(a) except with the consent of the Governor no further proceedings shall be taken upon any such Bill or motion after such notice as aforesaid has been given in respect thereof ;

(b) no such motion, other than a motion for the amendment of a Bill, shall have effect until the expiration of seven days from the date on which it was carried ; and if the Governor, within that period, certifies by writing under his hand that any alteration that would be effected by such motion would affect any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially, such motion shall not have effect unless it has been approved by a Secretary of State.

(2) If the Governor considers that any such alteration as aforesaid, which would be effected by any Bill presented to him for his assent, would affect any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially, he shall reserve the Bill for the signification of Her Majesty's pleasure.

(3) Any such notice as is referred to in sub-section (1) of this section may be given by the Governor or the Attorney-General of the Northern Region, as the case may be, in such manner as he may think fit.

(4) The powers conferred by the foregoing provisions of this section on the Governor shall be exercised by him in his discretion.

(5) The Governor shall not withhold consent to the taking of further proceedings upon any Bill or motion in respect of which notice has been given in accordance with sub-section (1) of this section if, in his opinion, any alteration that would

be effected by any such Bill or motion would not affect any public officer or former public officer or his widow, children, dependants or personal representatives prejudicially.

(6) The provisions of a Bill or motion that would effect only the abolition of any office that is vacant shall be deemed not to affect any person prejudicially for the purposes of this section.

(7) Nothing in this section shall be construed so as to derogate from the powers of either Legislative House of the Northern Region conferred by this Order to debate or dispose of any Bill or motion relating to the creation of any new office.

(8) The provisions of this section shall apply in relation to the House of Assembly of the Southern Cameroons as they apply in relation to a Legislative House of the Northern Region, and for that purpose references to the Governor shall be construed as if they were references to the Governor-General and references to the Attorney-General of the Northern Region shall be construed as if they were references to the Commissioner of the Cameroons or the Legal Secretary of the Southern Cameroons."

Insertion of s. 66A in Order of 1954.

17. The principal Order is hereby amended by the insertion after section 66 of the following section :—

"Introduction of Bills by message of Governor-General.

66A. (1) The Governor-General, acting in his discretion, may—

(a) send by message to the Speaker of the House of Representatives a draft of any Bill or motion that it appears to the Governor-General should be introduced or moved in that House ;

(b) in the same or a later message require that the Bill or motion shall be introduced or moved not later than a date specified in such message.

(2) If a request of the Governor-General made in accordance with paragraph (b) of sub-section (1) of this section is not complied with, the Bill or motion to which the message relates shall be deemed for all purposes to have been introduced or moved in the House of Representatives on the date specified in the message."

Replacement of s. 88 of Order of 1954.

18. (1) Section 88 of the principal Order is hereby revoked and the following section is substituted :—

"Composition of Council of Ministers.

88. (1) The members of the Council of Ministers shall be—

(a) the Governor-General, who shall be the President of the Council ; and

(b) not less than eleven other members, who shall be styled Ministers.

(2) The number of Ministers who shall be appointed in addition to the Prime Minister shall, subject to the provisions of this section, be such as the Governor-General may on the recommendation of the Prime Minister from time to time prescribe."

(2) The seats in the Council of Ministers of the Ministers holding office immediately before the commencement of this Order shall become vacant at the commencement of this Order.

19. The principal Order is hereby amended by the insertion after section 88 of the following section :—

Insertion of s. 88A in Order of 1954.

"Appointment of Ministers.

88A. (1) Every Minister shall be appointed by Instrument under the Public Seal from among the members of the House of Representatives, and at least one Minister shall be appointed from among the Representative Members of that House elected in the Southern Cameroons.

(2) Of the Ministers—

(a) one, who shall be styled the Prime Minister, shall be appointed by the Governor-General in accordance with sub-section (3) of this section ;

(b) the others shall be appointed by the Governor-General on the recommendation of the Prime Minister.

(3) Whenever the Governor-General has occasion to appoint a person to be a Prime Minister he shall appoint as such the person who appears to him to be best able to command a majority in the House of Representatives and who is willing to be appointed."

20. Section 89 of the principal Order is hereby amended by the deletion of sub-section (2) of sub-paragraph (ii) of paragraph (a) and the substitution of the following sub-paragraph :—

Amendment of s. 89 of Order of 1954.

"(ii) powers conferred upon him by sub-sections (1) and (2) of section 7, paragraph (a) of sub-section (2) of section 88A and paragraph (a) of sub-section (2) of section 97 of this Order ; or"

21. Section 90 of the principal Order is hereby revoked and the following section is substituted :—

Replacement of s. 90 of Order of 1954.

"Tenure of office of Prime Minister.

90. The Prime Minister shall hold his seat in the Council of Ministers during the Governor-General's pleasure :

Provided that his seat shall in any case become vacant—

(a) when, after any dissolution of the House of Representatives, he is informed by the Governor-General that the Governor-General is about to re-appoint him as Prime Minister or to appoint another person as Prime Minister ;

(b) if he ceases to be a member of the House of Representatives for any reason other than the dissolution of that House ;

(c) if he resigns his seat by writing under his hand addressed to the Governor-General ; or

(d) if he absents himself from Nigeria without written permission given by the Governor-General, acting in his discretion."

22. Section 91 of the principal Order is hereby revoked and the following section is substituted :—

Replacement of s. 91 of Order of 1954.

"Tenure of office of Minister.

91. The seat in the Council of Ministers of a Minister other than the Prime Minister shall become vacant—

(a) if the seat of the Prime Minister in the Council becomes vacant ;

(b) if he ceases to be a member of the House of Representatives for any reason other than the dissolution of that House ;

(c) if he resigns his seat by writing under his hand addressed to the Governor-General ;

(d) if he absents himself from Nigeria without written permission given by the Governor-General on the recommendation of the Prime Minister ; or

(e) if the Governor-General, on the recommendation of the Prime Minister, so directs."

Revocation of s. 92 of Order of 1954.

23. Section 92 of the principal Order is hereby revoked.

Replacement of s. 93 of Order of 1954.

24. Section 93 of the principal Order is hereby revoked and the following section is substituted :—

"Determination of questions as to membership of Council of Ministers. 93. Any question whether any person is a member of the Council of Ministers shall be referred to, and determined by, the Governor-General, acting in his discretion."

Replacement of s. 94 of Order of 1954.

25. Section 94 of the principal Order is hereby revoked and the following section is substituted :—

"Presiding in Council of Ministers.— 94. There shall preside at meetings of the Council of

(a) the Governor-General ; or

(b) in the absence of the Governor-General, the Prime Minister."

Amendment of s. 96 of Order of 1954.

26. Section 96 is hereby amended by the deletion from sub-section (1) of the words "if five or more members of the Council so request in writing" and the substitution of the words "if the Prime Minister requests him in writing so to do".

Amendment of s. 97 of Order of 1954.

27. Section 97 of the principal Order is hereby amended by the deletion of sub-section (2) and the substitution of the following sub-section :—

"(2) (a) The Governor-General may, when presiding in the Council of Ministers, give a casting vote if on any question the votes are equally divided, but shall not have an original vote.

(b) A Minister shall have an original vote in the Council of Ministers, and the Prime Minister may, when presiding in the Council, also give a casting vote if on any question the votes are equally divided".

Replacement of s. 98 of Order of 1954.

28. Section 98 of the principal Order is hereby revoked and the following section is substituted :—

"Assignment of responsibility to Ministers. 98. (1) (a) Subject to the provisions of this Order, the Governor-General may by directions in writing charge any Minister with responsibility for any matter or group of matters to which the executive authority of the Federation extends :

Provided that, except for the purpose of conducting government business relating to such matters in the House of Representatives, a Minister shall not be charged with responsibility for the matters specified in sections 98A and 98B of this Order.

(b) For the purposes of this section the Governor-General may charge any Minister with responsibility for any department of government.

(2) The powers conferred upon the Governor-General by this section shall be exercised on the recommendation of the Prime Minister."

29. The principal Order is hereby amended by the insertion after section 8 of the following sections :—

Insertion of ss. 98A and 98B in Order of 1954.

"Governor-General to be responsible for certain matters. 98A. The Governor-General, acting in his discretion, shall be responsible for the following matters :—

(a) external affairs, that is to say, such external relations as may from time to time be entrusted to the Federation by Her Majesty's Government in the United Kingdom ;

(b) defence ; and

(c) the use and operational control of the police.

Attorney-General to be responsible for certain matters. 98B. The Attorney-General of the Federation shall be responsible for legal matters, which expression shall, without prejudice to its generality, include the initiation, conduct and discontinuance of civil and criminal proceedings."

30. Section 99 of the principal Order is hereby amended by the deletion of sub-section (2) and the substitution of the following sub-sections :—

Amendment of s. 99 of Order of 1954.

"(2) The office of a Parliamentary Secretary to a Minister shall become vacant—

(a) if the seat of the Prime Minister in the Council of Ministers becomes vacant ;

(b) if he ceases to be a member of the House of Representatives for any reason other than the dissolution of that House ;

(c) if he resigns his office by writing under his hand addressed to the Governor-General ;

(d) if he absents himself from Nigeria without written permission given by the Governor-General ; or

(e) if the Governor-General so directs.

(3) The powers conferred by this section on the Governor-General shall be exercised by him on the recommendation of the Prime Minister."

31. Section 101 of the principal Order is hereby revoked.

Revocation of s. 101 of Order of 1954.

32. Section 102 of the principal Order is hereby revoked and the following section is substituted :—

Replacement of s. 102 of Order of 1954.

"Leave of absence for Ministers and Parliamentary Secretaries.

102. (1) The Governor-General, acting in his discretion, may grant leave of absence from his duties to the Prime Minister.

(2) The Governor-General, acting on the recommendation of the Prime Minister, may grant leave of absence from his duties to any Minister other than the Prime Minister or to a Parliamentary Secretary."

Insertion of s. 102A in Order of 1954.

33. The principal Order is hereby amended by the insertion after section 102 of the following section :—

“Perform-  
ance of  
functions  
of Prime  
Minister.

102A. (1) Whenever the Prime Minister is ill or absent from Nigeria, the Governor-General may, by Instrument under the Public Seal, authorize one of the other Ministers to perform the functions conferred on the Prime Minister by this Order (other than the function conferred by sub-section (3) of this section) and any Minister so authorized may perform these functions.

(2) The Governor-General may, by Instrument under the Public Seal, revoke any authority given under this section.

(3) The powers conferred upon the Governor-General by this section shall be exercised by the Governor-General acting in his discretion if in the opinion of the Governor-General it is impracticable to obtain the advice of the Prime Minister owing to his illness or absence, and in any other case shall be exercised by the Governor-General on the recommendation of the Prime Minister.”

Amendment of s. 105 of Order of 1954.

34. Section 105 of the principal Order is hereby amended by the deletion from sub-section (2) of sub-paragraph (ii) of paragraph (a) and the substitution of the following sub-paragraph :—

“(ii) the powers conferred upon him by sub-section (2) of section 23, sub-section (1) of section 33, paragraph (a) of sub-section (2) of section 107, paragraph (a) of sub-section (2) of section 109, paragraph (a) of sub-section (2) of section 111 or section 118 of this Order ; or”.

Replacement of s. 106 of Order of 1954.

35. (1) Section 106 of the principal Order is hereby revoked and the following section is substituted :—

“Composi-  
tion of  
Executive  
Council of  
Northern  
Region.

106. The members of the Executive Council of the Northern Region shall be—

(a) the Governor, who shall be the President of the Council ;

(b) the Attorney-General of the Region ; and

(c) not less than fourteen members appointed in accordance with the provisions of section 107 of this Order, who shall be styled Regional Ministers.”

(2) The seats in the Executive Council of the Northern Region of the Regional Ministers holding office immediately before the commencement of this Order shall become vacant at the commencement of this Order.

Amendment of s. 107 of Order of 1954.

36. Section 107 of the principal Order is hereby amended—

(a) by the deletion of sub-section (2) and the substitution of the following sub-section :—

“(2) Of the Regional Ministers of the Northern Region—

(a) one, who shall be styled the Premier of the Region, shall be appointed by the Governor from among the members of the Northern House of Assembly mentioned in paragraph (b) or (c) of sub-section (1) of section 21 of this Order in accordance with the provisions of sub-section (3) of this section ; and

(b) the others shall be appointed by the Governor on the recommendation of the Premier :

Provided that at least eleven shall be appointed from among members of the Northern House of Assembly and at least not more than four shall be appointed from among the members of the Northern House of Chiefs." ; and

(b) by the insertion after sub-section (2) of the following sub-section—  
“(3) Whenever the Governor has occasion to appoint a person to be Premier he shall appoint as such the person who appears to be best able to command a majority in the Northern House of Assembly and who is willing to be appointed.

(4) The number of Regional Ministers of the Northern House of Assembly who shall be appointed in addition to the Premier shall, subject to the provisions of section 106 of this Order, be such as the Governor may determine from time to time on the recommendation of the Premier from time to time prescribed in the principal Order.

37. Section 109 of the principal Order is hereby amended—

(a) by the deletion from sub-section (2) of the words “acting Premier” in paragraph (a) and the substitution of the words “in accordance with the provisions of sub-section (4) of this section” ; and

(b) by the insertion after sub-section (3) of the following sub-section—  
“(4) Whenever the Governor has occasion to appoint a person to be Premier he shall appoint as such the person who appears to be best able to command a majority in the Western House of Assembly and who is willing to be appointed.”

38. Section 111 of the principal Order is hereby amended—

(a) by the deletion from sub-section (2) of the words “acting Premier” in paragraph (a) and the substitution of the words “in accordance with the provisions of sub-section (4) of this section” ; and

(b) by the insertion after sub-section (3) of the following sub-section—  
“(4) Whenever the Governor has occasion to appoint a person to be Premier he shall appoint as such the person who appears to be best able to command a majority in the Eastern House of Assembly and who is willing to be appointed.”

39. Section 113 of the principal Order is hereby amended—

(a) by the deletion from sub-section (1) of paragraph (f) ; and  
(b) by the deletion of sub-section (2).

40. Section 123 of the principal Order is hereby revoked and the following section is substituted—

“Leave of absence for Regional Ministers and Parliamentary Secretaries.

123. (1) The Governor of a Region, acting in his discretion, may grant leave of absence from his duties to the Premier of the Region.

(2) The Governor of a Region, acting on the recommendation of the Premier, may grant leave of absence from his duties to a Regional Minister other than the Premier and to a Parliamentary Secretary to a Regional Minister.”

Insertion of s. 123B in Order of 1954.

41. The principal Order is hereby amended by the insertion after section 123A of the following section :—

"123B. (1) Whenever the Premier of a Region is ill or absent from Nigeria, the Governor may, by Instrument under the Public Seal, authorize one of the other Regional Ministers to perform the functions conferred on the Premier by this Order (other than the function conferred by sub-section (3) of this section) and any Regional Minister so authorized may perform those functions.

(2) The Governor may, by Instrument under the Public Seal, revoke any authority given under this section.

(3) The powers conferred upon the Governor by this section shall be exercised by the Governor, acting in his discretion, if in the opinion of the Governor it is impracticable to obtain the advice of the Premier owing to his illness or absence, and in any other case shall be exercised by the Governor on the recommendation of the Premier."

Replacement of s. 135 of Order of 1954.

42. Section 135 of the principal Order is hereby revoked and the following section is substituted :—

"Co-ordination of executive authority of Federation, Regions and Southern Cameroons.

135. (1) The executive authority of a Region or the Southern Cameroons shall be so exercised as not to impede or prejudice the exercise of the executive authority of the Federation or to endanger the continuance of federal government in Nigeria.

(2) The Governor-General, acting in his discretion, may give to the Governor of the Western Region or the Eastern Region such directions as appear to him to be necessary for the purpose of ensuring that the executive authority of that Region is not exercised in contravention of sub-section (1) of this section.

(3) The Governor-General, acting in his discretion, may by regulation make such provision as he considers to be necessary or expedient in order to ensure that any directions given under sub-section (2) of this section are carried out.

(4) Regulations made under sub-section (3) of this section shall have effect notwithstanding anything inconsistent therewith in any law enacted by any legislature in Nigeria, and provision may be made by any such regulation for the amendment, suspension or revocation of any such law.

(5) The Governor-General shall not exercise the powers conferred upon him by this section unless he has obtained the consent of a Secretary of State.

(6) The question whether the executive authority of a Region or the Southern Cameroons has in any case been exercised in accordance with the provisions of sub-section (1) of this section or the question whether any, and if so what, directions have been given under sub-section (2) of this section shall not be enquired into in any court".

Amendment of s. 136 of Order of 1954.

43. Section 136 of the principal Order is hereby amended by the addition to sub-section (1) of the following proviso :—

"Provided that a regulation made under section 135 of this Order may confer functions upon any officer or authority of a Region without the consent of the Governor of that Region".

44. Section 151 of the principal Order is hereby amended—

Amendment  
of s. 151 of  
Order of  
1954.

(a) by the deletion of sub-section (2) and the substitution of the following sub-section :—

“(2) A law enacted by the Federal Legislature may make provision for the service and execution of the civil and criminal processes, judgments, decrees, orders and decisions of the Federal Supreme Court or of any court outside Nigeria”. ; and

(b) by the insertion after sub-section (2) of the following sub-sections :—

“(3) (a) A law enacted by the Federal Legislature may make provision—

(i) for the service and execution in a Region of the civil and criminal processes, judgments, decrees, orders and decisions of the courts of any other Region or the Southern Cameroons or Lagos ;

(ii) for the service and execution in the Southern Cameroons of the civil and criminal processes, judgments, decrees, orders and decisions of the courts of a Region or Lagos.

(b) A law enacted by the Legislature of a Region may make provision for the service and execution in that Region of the civil and criminal processes, judgments, decrees, orders and decisions of the courts of that Region, any other Region, the Southern Cameroons or Lagos.

(c) A law enacted by the Legislature of the Southern Cameroons may make provision for the service and execution in the Southern Cameroons of the civil and criminal processes, judgments, decrees, orders and decisions of the courts of the Southern Cameroons, any Region or Lagos.

(4) In this section “processes” includes processes for securing the attendance of any person at a court”.

45. Section 172 of the principal Order is hereby amended—

Amendment  
of s. 172 of  
Order of  
1954.

(a) by the deletion of the definitions of “existing African officer” and “existing overseas officer” in paragraph (a) and the substitution of the following definitions :—

“ ‘existing African officer’ means a person—

(i) who, on the twenty-ninth day of August, 1957, was the substantive holder of an office in the public service of the Federation or the public service of the Northern Region declared to be pensionable under the provisions of any pensions law ; and

(ii) who is not an overseas officer” ;

“ ‘existing overseas officer’ means a person—

(i) who, on the twenty-ninth day of August, 1957, was the substantive holder of an office in the public service of the Federation or the public service of the Northern Region declared to be pensionable under the provisions of any pensions law ; and

(ii) who is, either individually or as a member of a class, declared by the Governor-General to be an overseas officer.” ; and

(b) by the insertion after sub-paragraph (ii) of the definition of “future overseas officer” of the following sub-paragraph :—

“and

(iii) who is not an existing overseas officer.”

Amendment of s. 173 of Order of 1954.

46. Section 173 of the principal Order (as amended by section 7 of the Nigeria (Constitution) (Amendment) Order in Council, 1956) is hereby amended by the deletion from sub-section (4) of paragraph (c) and the substitution of the following paragraph :—

“(c) This sub-section applies to any law that is an existing law for the purposes of sub-section (5) of section 57 of this Order, and to any Order made under that sub-section”.

Amendment of s. 191 of Order of 1954.

47. Section 191 of the principal Order is hereby amended by the deletion from sub-section (1) of the words “section 198” and the substitution of the words “section 191A”.

Insertion of s. 191A in Order of 1954.

48. The principal Order is hereby amended by the insertion after section 191 of the following section :—

“Financial responsibility for additional allowance or gratuity. 191A. (1) Where any additional allowance or additional gratuity is granted under this Order at any time after the commencement of this Order to any officer in the public service of a Region, then—

(a) in the case of an officer whose whole service that qualifies for pension has been in Nigeria, the cost of such allowance or gratuity shall be shared by the Federation and each Region in the public service of which that officer has served, so that the Federation shall pay such amount of the allowance or gratuity as is proportionate to the aggregate amount of the pensionable emoluments received by the officer in respect of his service in the public service of the Federation and each such Region shall pay such amount of the allowance or gratuity as is proportionate to the aggregate amount of the pensionable emoluments received by the officer in respect of his service in the public service of that Region ; and

(b) in the case of any other officer, such allowance or gratuity shall be paid by the Region in the public service of which the officer is serving at the time when he retires.

(2) For the purposes of this section service in the former public service of Nigeria shall be deemed to be service in the public service of the Federation.”

Replacement of Pt. 2 of Chap. VII of Order of 1954.

49. (1) Part 2 of Chapter VII of the principal Order is hereby revoked, and the following Part is substituted :—

“Part 2—Regulations relating to Certain Pensions

Regulations regarding grant of pensions and gratuities to certain persons.

192. (1) The Governor-General may, with the approval of a Secretary of State, make regulations regarding the grant of pensions and gratuities on retirement—

- (a) to existing overseas officers ;
- (b) to existing African officers.

(2) Subject to the provisions of this Part, any such regulations may be made to have effect from any date that is not earlier than the thirtieth day of August, 1957.

Existing overseas officers.

193. Regulations made under this Part shall provide—

- (a) that an existing overseas officer may, after giving such notice as is prescribed by such regulations, retire at any time after the twenty-ninth day of August, 1957 ;

(b) that an existing overseas officer, on retiring under the provisions of such regulations, may be granted such pension as may be prescribed therein or at his option in lieu of such pension, a gratuity of one quarter of the aggregate amount of his pensionable emoluments during his service in the former public service of Nigeria, the public service of the Federation and the public service of any Region ;

(c) that an existing overseas officer may, on retiring under the provisions of such regulations, be granted in addition to his pension or gratuity an additional allowance or, in lieu of such additional allowance, an additional gratuity, calculated in accordance with the provisions set out in the Fourth Schedule to this Order.

194. (1) Regulations made under this Part shall provide—

(a) that an existing African officer holding a Secretary of State's appointment who satisfies a Secretary of State that his career in the public service has been prejudiced by the provisions of this Order or that, because of those provisions, he has reasonable cause for anxiety about his career in the public service, may retire at any time after the twenty-ninth day of August, 1957, and, on retiring under the provisions of such regulations, may be granted such pension as may be prescribed therein or at his option, in lieu of such pension, a gratuity of one quarter of the aggregate amount of his pensionable emoluments during his service in the former public service of Nigeria, the public service of the Federation and the public service of any Region ;

(b) that an existing African officer, other than an officer holding a Secretary of State's appointment, who satisfies the Governor-General that his career in the public service has been prejudiced by the provisions of this Order or that, because of those provisions, he has reasonable cause for anxiety about his career in the public service may retire at any time after the twenty-ninth day of August, 1957, and on retiring under the provisions of such regulations, may be granted such pension as may be prescribed therein or at his option, in lieu of such pension, a gratuity of one quarter of the aggregate amount of his pensionable emoluments during his service in the former public service of Nigeria, the public service of the Federation and the public service of any Region ;

(c) that an existing African officer may, on retiring under the provisions of such regulations, be granted in addition to his pension or gratuity an additional allowance or at his option, in lieu of such additional allowance, an additional gratuity calculated in accordance with the provisions set out in the Fourth Schedule to this Order.

(2) For the purposes of this section an officer shall be regarded as holding a Secretary of State's appointment if he holds an office appointment to which was, at the time when he was appointed thereto, subject to the approval of the Secretary of State.

195. (1) A future overseas officer may, after giving notice in writing to the Governor-General or the Governor, as the case may be, retire from the public service of the Federation or the

Existing  
African  
officers.

Future  
overseas  
officers.

public service of a Region if he has completed ten years' qualifying service of which the three years immediately before his retirement were served—

- (a) in the public service of the Federation ;
- (b) in the public service of one or more Regions ; or
- (c) partly in the public service of the Federation and partly in the public service of one or more Regions.

(2) An officer retiring in accordance with this section may be granted the pension, gratuity or other retiring benefits for which he may be eligible under the pensions law applicable to him :

Provided that he shall, if need be, be deemed to have attained the age at which, apart from the provisions of this section, he could be granted a pension under that law on his retirement from the public service.

(3) The notice to be given under sub-section (1) of this section shall be six months' notice or such shorter period as the Governor-General or the Governor, as the case may be, may allow.

(4) In this section "qualifying service" means service which may be taken into account under the pensions law applicable to an officer in determining whether he is eligible for a pension or gratuity.

(5) Nothing in this section shall prevent an officer from retiring without having served the three years immediately before his retirement as mentioned in sub-section (1) of this section if he is entitled under the pensions law applicable to him to retire at any earlier date.

Officer may elect to receive pension and gratuity or additional allowance and gratuity in certain cases.

196. Regulations made under this Part shall provide that any officer to whom there has been granted—

- (a) any such pension as is referred to in paragraph (b) of section 193 or paragraph (a) or (b) of sub-section (1) of section 194 of this Order,
- (b) any such additional allowance as is referred to in paragraph (c) of section 193 or paragraph (c) of sub-section (1) of section 194 of this Order,

may at his option, be paid in lieu of such pension or additional allowance a reduced pension or reduced additional allowance at the rate of three-fourths of such pension or additional allowance together with a gratuity equal to twelve and one half times the amount by which such pension or additional allowance is so reduced.

Miscellaneous provisions.

197. (1) No officer shall retire under the provisions of regulations made under this Part without the permission of the Governor-General in the case of an officer in the public service of the Federation, or the Governor in the case of an officer in the public service of a Region :

Provided that the Governor-General or the Governor, as the case may be, shall not withhold his permission unless proceedings for the officer's dismissal are being taken or about to be taken.

(2) Where an officer in the public service of the Federation or the public service of a Region retires under regulations made under this Part, the pensions law applicable to that officer—

(a) shall, subject to the provisions of this Part and of any regulations made under this Part, apply in relation to the grant of any pension and in relation to any pension granted in pursuance of regulations made under this Part ; and

(b) shall, subject as aforesaid, apply in relation to the grant of any additional allowance and in relation to any additional allowance granted in pursuance of regulations made under this Part as if that additional allowance were a pension.

(3) An officer shall not while he is serving on probation be granted any pension or gratuity in pursuance of regulations made under this Part.

(4) An option exercisable by an officer in accordance with regulations made under this Part—

(a) shall be exercisable on or before the date of the officer's retirement :

Provided that the Governor-General or the Governor as the case may be, may, if he thinks fit, and subject or not to conditions, extend the period for the exercise of the option ;

(b) shall be irrevocable after the date of the officer's retirement ;

(c) shall be exercised by notice in writing to the Governor-General or the Governor, as the case may be ; and

(d) shall be deemed to have been exercised on the date on which such notice is received."

(2) The regulations made under Part 2 of Chapter VII of the principal Order and in force immediately before the commencement of this Order shall continue in force in so far as they relate to the grant of pensions and gratuities to officers in the public service of the Western Region or the Eastern Region who have retired before, or who retire at or after, the commencement of this Order, or to officers in the public service of the Federation or the Northern Region who have retired before the commencement of this Order, and may be amended or revoked as if this Order had not been made.

(3) The reference to regulations in section 197 of the principal Order shall be construed as including any regulations kept in force by sub-section (2) of this section.

50. (1) The First Schedule of the principal Order is hereby amended—

Amendment  
of First  
Schedule to  
Order of  
1954.

(a) by the deletion from Part I of items 2, 9 and 10 ;

(b) by the insertion in Part I after item 16 of the following items :—

"16A. Designation of securities in which trust funds may be invested.

16B. The establishment and regulation of a Federal authority empowered to administer trusts.

16C. The establishment and regulation of a Federal authority empowered to apply for grants of representation in respect of the estates in Nigeria of deceased persons and to administer such estates.

- 16b. The establishment and regulation of a Federal authority empowered to prohibit or restrict the exhibition of cinematograph films in Nigeria in the interests of public safety, public order or public morality” ;
- (c) by the insertion in Part I after item 20 of the following item :—
- “20A. Insurance other than insurance undertaken by the Government of a Region or the Southern Cameroons but including any insurance undertaken by the Government of a Region that extends beyond the limits of that Region and any insurance undertaken by the Government of the Southern Cameroons that extends beyond the limits of the Southern Cameroons.” ;
- (d) by the insertion in Part I after item 22 of the following item :—
- “22A. Marriages other than marriages under Moslem law or other customary law ; annulment and dissolution of, and other matrimonial causes relating to, marriages other than marriages under Moslem law or other customary law.” ;
- (e) by the insertion in Part I at the end of item 24 of the words “and natural gas” ;
- (f) by the insertion in Part I after item 25 of the following items:—
- “25A. Nationality, including naturalisation of aliens and citizenship of Nigeria.” ;
- (g) by the deletion from Part I of item 30 ;
- (h) by the deletion from Part I of the words “times and” in item 41 ;
- (i) by the deletion from Part II of item 1 ;
- (j) by the insertion in Part II after item 3 of the following item :—
- “3A. Census.” ;
- (k) by the deletion from Part II of item 6 ;
- (l) by the deletion from Part II of item 7 and the substitution of the following item :—
- “7. Such drugs and poisons as the Governor-General may, with the consent of the Governor of each Region, by Order designate.” ;
- (m) by the deletion from Part II of items 8 and 11 ;
- (n) by the insertion in Part II after the word “courses” in item 12 of the words “or conducting examinations” ;
- (o) by the deletion from Part II of item 14 ;
- (p) by the insertion in Part II after item 18 of the following item :—
- “18A. Police, including bureaux of intelligence and investigation.” ;
- (q) by the insertion in Part II after the words “the Governor-General may” in item 20 of the words “with the consent of the Governor of each Region” ;
- (r) by the deletion from Part II of items 25 and 30 ;
- (s) by the deletion from Part IV of the word “and” in paragraph (a) ; and
- (t) by the insertion in Part IV after paragraph (b) of the following paragraph :—
- “and
- (c) the establishment and regulation of tribunals of enquiry for the purpose of any of those matters.”

(2) Any Orders made under Item 20 of Part II of the First Schedule to the principal Order and in force immediately before the commencement of this Order shall continue in force after the commencement of this Order as if they had been made with the consent of the Governor of each Region and may be amended or revoked accordingly.

51. Section 222 of the principal Order is hereby revoked, and the following section is substituted :—

“Enactment of laws relating to police.

222. No law shall be enacted by the Legislature of a Region or the Southern Cameroons with respect to police until such time as a Secretary of State, after consultation with the Governor-General and the Governors of the Regions, has notified the Governor-General that those Legislatures may enact such laws, and the notification has been published in the Official Gazette of the Federation.”

Replacement of s. 222 of Order of 1954.

52. The Fourth Schedule to the principal Order is hereby amended—

(a) by the deletion of the words “paragraph (c) of sub-section (1) of section 193” and the substitution of the words “paragraph (c) of section 193” ; and

(b) by the deletion of the words “paragraph (b) of sub-section (1) of section 193” and the substitution of the words “paragraph (b) of section 193”.

Amendment of Fourth Schedule to Order of 1954.

53. (1) The Governor-General may, by Order published in the Official Gazette of the Federation, at any time within twelve months after the commencement of this Order, provide that any existing law shall be read and construed with such adaptations and modifications as may appear to the Governor-General to be necessary or expedient for bringing the provisions of that law into accord with the provisions of the principal Order, as amended by the Nigeria (Constitution) (Amendment) Order in Council, 1957, or this Order, or otherwise for giving effect or enabling effect to be given to those provisions ; and any existing law shall have effect accordingly from such date as may be specified in the Order, not being a date earlier than the commencement of this Order.

Adaptation of existing laws.

(2) In this section “existing law” means a law in force or having effect immediately before the commencement of this Order that was enacted by any legislature in Nigeria and includes any instrument made in pursuance of any such law.

W. G. AGNEW

### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order amends the provisions of the Nigeria (Constitution) Order in Council, 1954, relating to the Legislative Houses established for Nigeria, the powers of the Nigerian legislatures, the Council of Ministers of the Federation and the Executive Councils of the Regions.



## W.R.L.N. 221 of 1957

*The Nigeria (Offices of Governor-General and Governors)  
(Amendment) Order in Council, 1957*

STATUTORY INSTRUMENTS, 1957 No. 1531  
WEST AFRICA

MADE ... .. 23RD AUGUST, 1957  
LAID BEFORE PARLIAMENT 29TH AUGUST, 1957  
COMING INTO OPERATION 30TH AUGUST, 1957  
At the Court at Balmoral, the 23rd day of August, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890 (a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. (1) This Order may be cited as the Nigeria (Offices of Governor-General and Governors) (Amendment) Order in Council, 1957, and shall be construed as one with the Nigeria (Offices of Governor-General and Governors) Orders in Council, 1954 and 1955 (b).

Citation,  
construction  
and com-  
mencement.

(2) The Nigeria (Offices of Governor-General and Governors) Orders in Council, 1954 and 1955, and this Order may be cited together as the Nigeria (Offices of Governor-General and Governors) Orders in Council, 1954 to 1957.

(3) This Order shall come into operation on the thirtieth day of August, 1957.

2. Section 2 of the Nigeria (Offices of Governor-General and Governors) Order in Council, 1954, (hereinafter called "the principal Order") is hereby amended by the deletion from sub-section (3) of all words after the words "the functions of that office" and the substitution of the words "and shall include, in the case of the Governor-General, the Deputy Governor-General, to the extent to which he is authorized to discharge the functions of the office of Governor-General and, in the case of the Governor of a Region, the Deputy Governor of the Region, to the extent to which he is authorized to discharge the functions of the office of Governor".

Amendment  
of s. 2 of  
Order of  
1954.

3. The principal Order is hereby amended by the insertion after section 4 of the following section :—

4A. (1) The office of Deputy Governor-General of the Federation is hereby constituted.

Insertion of  
s. 4A in  
Order of  
1954.

(2) Appointments to the office of Deputy Governor-General shall be made by the Governor-General in pursuance of instructions given by Her Majesty through a Secretary of State".

4. Section 5 of the principal Order is hereby revoked and the following section is substituted :—

"Succession to govern-  
ment of  
Federation. 5. (1) Whenever the office of Governor-General is vacant or the Governor-General is absent from Nigeria or is from any other cause prevented from or incapable of discharging the functions of his office—

Replacement  
of s. 5 of  
Order of  
1954.

(a) 53 & 54 Vict. c. 37.

(b) S.I. 1954/1147 (1954 II, p 2939), 1955/431 (1955 II, p. 3167).

(a) the Deputy Governor-General ; or

(b) if the office of Deputy Governor-General is vacant or the Deputy Governor-General is absent from Nigeria or is from any other cause prevented from or incapable of discharging the functions of the office of Governor-General, such person as Her Majesty may designate by Instructions given under Her Sign Manual and Signet or through a Secretary of State

shall, during Her Majesty's pleasure, discharge the functions of the office of Governor-General and administer the government of the Federation accordingly.

(2) Before entering upon the discharge of the functions of the office of Governor-General under sub-section (1) of this section the Deputy Governor-General or the person designated under paragraph (b) of that sub-section shall make the oaths to be made under sub-section (3) of section 3 of this Order by a person appointed to the office of Governor-General.

(3) The Deputy Governor-General shall not continue to discharge the functions of the office of Governor-General after the Governor-General has notified him that he is about to enter upon, or resume, the discharge of those functions and the person designated under paragraph (b) of sub-section (1) of this section shall not continue to discharge those functions after the Governor-General or the Deputy Governor-General has so notified him.

(4) For the purposes of this section—

(a) the Governor-General or the Deputy Governor-General shall not be regarded as absent from Nigeria during his passage from one part of Nigeria to another, or as prevented from discharging the functions of the office of Governor-General by reason only that he is so passing ;

(b) the Governor-General shall not be regarded as absent from Nigeria, or as prevented from or incapable of discharging the functions of the office of Governor-General, at any time when the Deputy Governor-General is discharging those functions in pursuance of an authority given by the Governor-General under section 6 of this Order ;

(c) when the Deputy Governor-General has entered upon the discharge of the functions of the office of Governor-General under sub-section (1) of this section, he shall not be regarded as absent from Nigeria, or as prevented from or incapable of discharging those functions, at any time when the person acting in the office of Deputy Governor-General is discharging those functions in pursuance of an authority given by the Deputy Governor-General under section 6 of this Order ;

(d) "the Governor-General" means the person holding the office of Governor-General and "the Deputy Governor-General" means the person holding the office of Deputy Governor-General."

5. Section 6 of the principal Order is hereby revoked and the following section is substituted :—

"Discharge of Governor-General's functions by Deputy Governor-General.

6. (1) The Governor-General may, by Instrument under the Public Seal of the Federation, authorize the Deputy Governor-General to discharge for and on behalf of the Governor-General on such occasions and subject to such exceptions and conditions as may be specified in that Instrument such of the functions of the office of Governor-General as may be specified in that Instrument.

(2) The powers and authority of the Governor-General shall not be affected by any authority given to the Deputy Governor-General under sub-section (1) of this section otherwise than as Her Majesty may at any time think proper to direct, and the Deputy Governor-General shall conform to and observe such instructions relating to the discharge by the Deputy Governor-General of any of the functions of the office of Governor-General as the Governor-General may from time to time address to him for his guidance.

(3) Any authority given under sub-section (1) of this section may at any time be varied or revoked by Her Majesty by instructions through a Secretary of State or by the Governor-General by Instrument under the Public Seal of the Federation.

(4) For the purposes of this section "the Governor-General" means the person holding the office of Governor-General and includes any person discharging the functions of that office under section 5 of this Order."

6. Section 8 of the principal Order is hereby amended by the deletion from sub-section (2) of the words "Chief Secretary of the Federation" and the words "Financial Secretary of the Federation" in paragraph (a).

Replacement of s. 6 of Order of 1954.

Amendment of s. 8 of Order of 1954.

7. Section 13 of the principal Order is hereby amended—

(a) by the insertion in sub-section (1) after the words "The offices of" of the words "Deputy Governor of the Northern Region," ; and

(b) by the deletion from sub-section (2) of the words "the Western Region or the Eastern Region" and the substitution of the words "a Region".

Amendment of s. 13 of Order of 1954.

8. Section 14 of the principal Order is hereby revoked and the following section is substituted :—

"Succession to government of Regions.

14. (1) Whenever the office of Governor of a Region is vacant or the Governor is absent from Nigeria or is from any other cause prevented from or incapable of discharging the functions of this office—

(a) the Deputy Governor ; or

(b) if the office of Deputy Governor is vacant or the Deputy Governor is absent from Nigeria or is from any other cause prevented from or incapable of discharging the functions of the office of Governor, such person as Her Majesty may designate by Instructions given under Her Sign Manual and Signet or through a Secretary of State shall, during Her Majesty's pleasure, discharge the functions of the office of Governor of the Region and administer the government of the Region accordingly.

Replacement of s. 14 of Order of 1954.

(2) Before entering upon the discharge of the functions of the office of Governor of a Region under sub-section (1) of this section the Deputy Governor or the person designated under paragraph (b) of that sub-section shall make the oaths to be made under sub-section (3) of section 11 of this Order by a person appointed to the office of Governor.

(3) The Deputy Governor shall not continue to discharge the functions of the office of Governor of a Region after the Governor has notified him that he is about to enter upon, or resume, the discharge of those functions and the person designated under paragraph (b) of sub-section (1) of this section shall not continue to discharge those functions after the Governor or the Deputy Governor has so notified him.

(4) For the purposes of this section—

(a) the Governor or the Deputy Governor shall not be regarded as absent from Nigeria during his passage from one part of Nigeria to another, or as prevented from discharging the functions of the office of Governor by reason only that he is so passing ;

(b) the Governor shall not be regarded as absent from Nigeria, or as prevented from or incapable of discharging the functions of the office of Governor of a Region, at any time when the Deputy Governor is discharging those functions in pursuance of an authority given by the Governor under section 15 of this Order ;

(c) when the Deputy Governor has entered upon the discharge of the functions of the office of Governor of a Region under sub-section (1) of this section, he shall not be regarded as absent from Nigeria, or as prevented from or incapable of discharging those functions, at any time when the person acting in the office of Deputy Governor of the Region is discharging those functions in pursuance of an authority given by the Deputy Governor under section 15 of this Order ;

(d) in relation to a Region, "the Governor" means the person holding the office of Governor of the Region and "the Deputy Governor" means the person holding the office of Deputy Governor of the Region."

Replacement  
of s. 15 of  
Order of  
1954.

9. Section 15 of the principal Order is hereby revoked and the following section is substituted :—

"Discharge  
of Governor's  
functions  
by Deputy  
Governor.

15. (1) The Governor may, by Instrument under the Public Seal of the Region, authorize the Deputy Governor to discharge for and on behalf of the Governor on such occasions and subject to such exceptions and conditions as may be specified in that Instrument such of the functions of the office of Governor of a Region as may be specified in that Instrument.

(2) The powers and authority of the Governor shall not be affected by any authority to the Deputy Governor under sub-section (1) of this section otherwise than as Her Majesty may at any time think proper to direct and the Deputy Governor shall conform to and observe such instructions relating to the discharge by the Deputy Governor of any of the functions of the office of Governor as the Governor may from time to time address to him for his guidance.

(3) Any authority given under sub-section (1) of this section may at any time be varied or revoked by Her Majesty by instructions through a Secretary of State or by the Governor by Instrument under the Public Seal of the Region.

(4) For the purposes of this section "the Governor" means in relation to a Region, the person holding the office of Governor of the Region and includes any person discharging the functions of that office under section 14 of this Order."

10. Section 17 of the principal Order is hereby amended by the deletion from sub-section (2) of sub-paragraphs (i) and (iii) of paragraph (a).

Amendment  
of s. 17 of  
Order of  
1954.

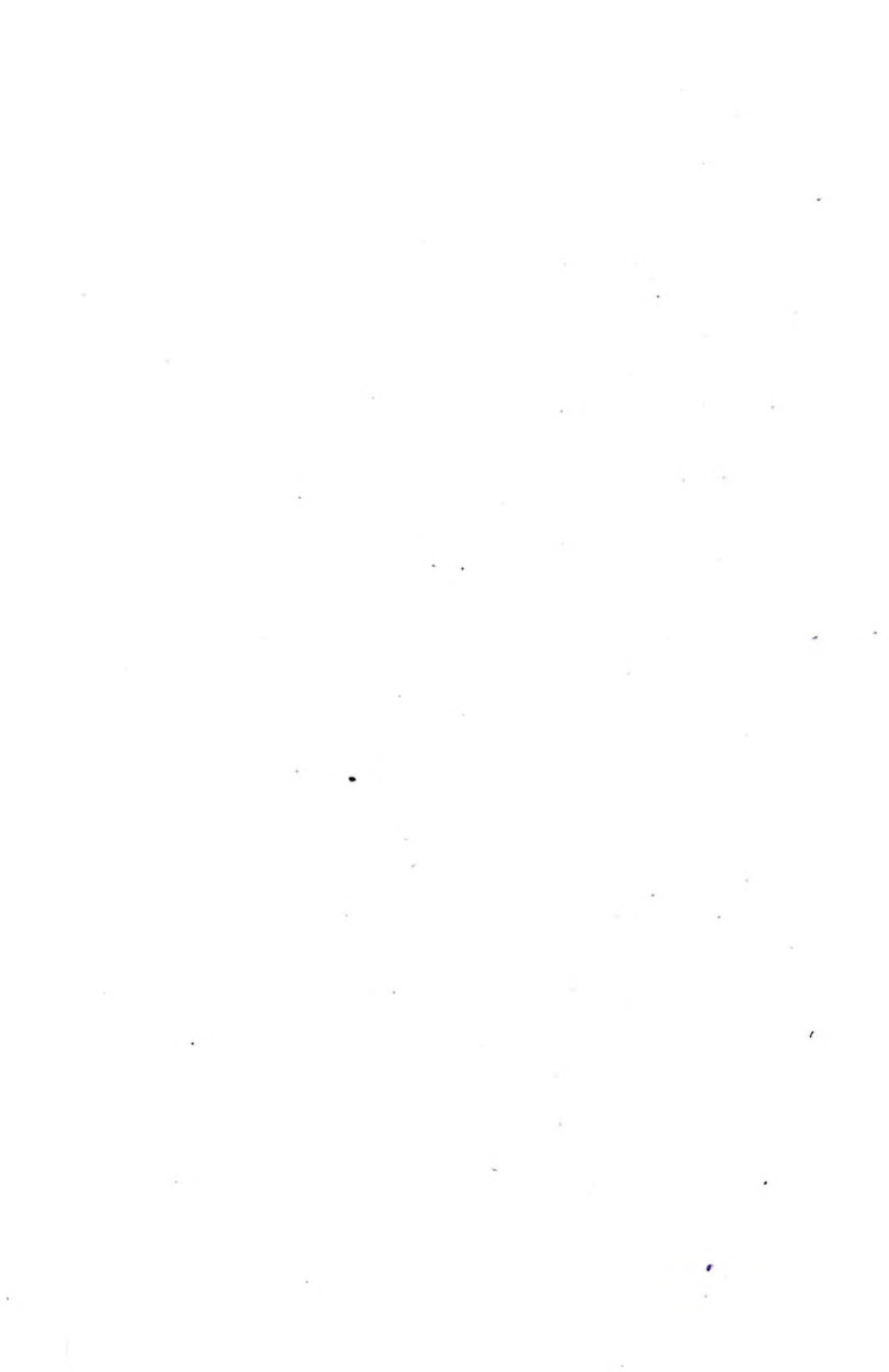
W. G. AGNEW

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#### EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order amends the Nigeria (Offices of Governor-General and Governors) Order in Council, 1954, so as to provide for the creation of the offices of Deputy Governor-General of the Federation of Nigeria and Deputy Governor of the Northern Region and for matters connected therewith.



## W.R.L.N. 222 of 1957

*ORDER made under THE FORESTRY ORDINANCE*  
(Cap. 75)

OYO DIVISIONAL COUNCIL FOREST RESERVE  
(ISEYIN CENTRAL PLANTATION) ORDER, 1957

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

WHEREAS the necessary steps have been taken in accordance with the provisions of section 23 of the Forestry Ordinance :

NOW THEREFORE in exercise of the powers conferred by section 22 of the said Ordinance, it is hereby ordered by the Oyo Divisional Council with the approval of the Minister of Agriculture and Natural Resources to whom power of approval has been delegated, as follows :—

1. This Order may be cited as the Oyo Divisional Council Forest Reserve (Iseyin Central Plantation) Order, 1957.

2. All that piece of land the situation and limits of which are set forth in the Schedule hereto shall constitute a Local Government Council Forest Reserve within the meaning of the Ordinance, which reserve shall be known as the Oyo Divisional Council Forest Reserve (Iseyin Central Plantation).

SCHEDULE

All that piece of land containing nought decimal one eight square mile or thereabouts situated on the western outskirts of Iseyin Town in the central part of the Oyo Division of Oyo Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are  $7^{\circ} 58' N$  :  $3^{\circ} 34' E$ ., situated where the right hand side of the 1954 motor road from Lanlate to Shaki crosses the right bank of the Ogba stream (River Ogbara ; Nigeria Survey Map 1 : 500,000 Sheet 9 of 1953) and marked by Beacon No. O.N.A. 1, by the right bank of the Ogba stream downstream in a general south-easterly direction for a distance of about 1,000 feet to Beacon No. O.N.A. 2 situated on the right bank of the Ogba stream ; thence by a straight line cut on a bearing of 189 degrees for a distance of 1,227 feet to Beacon No. O.N.A. 3 situated on the top of the ridge marking the Iseyin old town wall ; thence by a straight line along the top of the ridge marking the Iseyin old town wall on a bearing of 233 degrees for a distance of 290 feet to Beacon No. O.N.A. 4 situated on the top of the ridge marking the Iseyin old town wall ; thence by a straight line cut on a bearing of 183 degrees 30 minutes for a distance of 259 feet to Beacon No. O.N.A. 5 ; thence by a straight line cut on a bearing of 221 degrees 30 minutes for a distance of 254 feet to Beacon No. O.N.A. 6 ; thence by a straight line cut on a bearing of 271 degrees for a distance of 222 feet to Beacon No. O.N.A. 7 situated on the top of the ridge marking the Iseyin old town wall ; thence by a straight line along the top of the ridge marking the Iseyin old town wall on a bearing of 213 degrees 30 minutes for a distance of 100 feet to Beacon No. O.N.A. 8 situated on the top of the ridge marking the Iseyin old town wall ; thence by a straight line cut on a bearing of 267 degrees 30

minutes for a distance of 567 feet to Beacon No. O.N.A. 9 ; thence by a straight line cut on a bearing of 190 degrees for a distance of 658 feet to Beacon No. O.N.A. 10 situated on the right hand side of the 1954 motor road from Iseyin to Lanlate ; thence by the right hand side of the 1954 motor road from Iseyin to Lanlate in a general westerly direction for a distance of 1,700 feet through Beacon No. O.N.A. 11 to Beacon No. O.N.A. 12 situated at the point where the right hand side of the 1954 motor road from Iseyin to Lanlate joins the right hand side of the 1954 motor road from Lanlate to Shaki ; thence by the right hand side of the 1954 motor road from Lanlate to Shaki in a general north-easterly direction for a distance of about 4,500 feet through Beacon Nos. O.N.A. 13, O.N.A. 14 and O.N.A. 15 to the starting point.

All bearings are referred to True North and are adjusted from Magnetic bearings observed during the month of September 1954.

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All beacons are numbered concrete pillars.

MADE this 30th day of May, 1957.

E. O. OMOLODUN,  
*Chairman*

S. A. YEROKUN,  
*Secretary*

Witness to Signature :—

A. AMAO,  
*Clerk of Council*

*Signified in accordance with the Oyo Divisional Council Standing Rules dated the 27th day of October, 1955.*

APPROVED this 26th day of August, 1957.

G. AKIN DEKO,  
*Minister of Agriculture and Natural Resources*

W.R.L.N. 223 of 1957

*ORDER made under THE FORESTRY ORDINANCE*  
(Cap. 75)

OYO DIVISIONAL COUNCIL FOREST RESERVE  
(OYO OLD FUEL PLANTATION) ORDER, 1957

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

WHEREAS the necessary steps have been taken in accordance with the provisions of section 23 of the Forestry Ordinance :

NOW THEREFORE in exercise of the powers conferred by section 22 of the said Ordinance, it is hereby ordered by the Oyo Divisional Council with the approval of the Minister of Agriculture and Natural Resources to whom power of approval has been delegated, as follows :—

1. This order may be cited as the Oyo Divisional Council Forest Reserve (Oyo Old Fuel Plantation) Order, 1957.

2. All that piece of land the situation and limits of which are set forth in the Schedule hereto shall constitute a Local Government Council Forest Reserve within the meaning of the Ordinance, which reserve shall be known as the Oyo Divisional Council Forest Reserve (Oyo Old Fuel Plantation).

SCHEDULE

All that piece of land containing nought decimal two six square miles or thereabouts situated one mile west of Oyo Town in the Oyo Division of Oyo Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are  $3^{\circ} 56' E$ , and  $7^{\circ} 51' N$  (Nigerian Survey Map 1 : 500,000, Sheet No. 9 of the 1953 edition) situated on the right hand side of the 1954 motor road from Oyo to Iseyin, at a distance of 300 feet in an east-south-easterly direction from the junction of the Ibadan to Iseyin and Oyo to Iseyin 1954 motor road and marked by Beacon No. O.N.A. 1, by the right hand side of the 1954 motor road from Oyo to Iseyin in a general north westerly and then westerly direction for a distance of 3,140 feet through Beacon No. O.N.A. 2 to Beacon No. O.N.A. 3 situated on the right hand side of the 1954 motor road from Oyo to Iseyin ; thence by a straight line cut on a bearing of 26 degrees 30 minutes for a distance of 3,179 feet through Beacon Nos. O.N.A. 4, O.N.A. 5 to Beacon No. O.N.A. 6 ; thence by a straight line cut on a bearing of 117 degrees for a distance of 2,416 feet through Beacon No. O.N.A. 7 to Beacon No. O.N.A. 8 ; thence by a straight line cut on a bearing of 207 degrees 30 minutes for a distance of 815 feet to Beacon No. O.N.A. 9 ; thence by a straight line cut on a bearing of 120 degrees 30 minutes for a distance of 546 feet to Beacon No. O.N.A. 10 ; thence by a straight line cut on a bearing of 206 degrees 30 minutes for a distance of 1,457 feet to the starting point.

All bearings are referred to True North and are adjusted from Magnetic bearings observed during the month of August 1954.

**B 316**

All bearings and distances are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All beacons are numbered concrete pillars.

MADE this 30th day of May, 1957.

E. O. OMOLODUN,  
*Chairman*

S. A. YEROKUN,  
*Secretary*

Witness to Signatures :—

A. AMAO,  
*Clerk of Council*

*Signified in accordance with the Oyo Divisional Council Standing Rules dated the 27th day of October, 1955.*

APPROVED this 26th day of August, 1957.

G. AKIN DEKO,  
*Minister of Agriculture and Natural Resources*

## W.R.L.N. 224 of 1957

*The Income Tax Law, 1957 (No. 16 of 1957)*THE INCOME TAX (DEDUCTIONS BY EMPLOYERS)  
RULES, 1957

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by sub-section (1) of section 5 of the Income Tax Law, 1957, and for the purposes of giving effect to section 61 of the said Law, the following Rules are hereby made :—

1. These Rules may be cited as the Income Tax (Deductions by Employers) Rules, 1957. Short title.
2. In these Rules—  
 "employee" includes any person to whom emoluments are or were due from an employer, and whose name is on any list, supplementary list or amended list sent to the employer by the Commissioner under Rule 3 or Rule 5. Interpretation.
3. Whenever the Commissioner is satisfied that, in order to ensure the more efficient collection of tax, it is necessary that appropriate deductions be made by an employer from the emoluments of his employees, in accordance with these Rules, the Commissioner shall notify the employer accordingly and shall send him, by registered post, a list containing the following particulars—  
 (a) the names of the employees from whose emoluments tax is to be deducted ;  
 (b) the amount of tax to be deducted in each case ;  
 (c) the year of assessment to which the tax relates ; and  
 (d) the date on which each deduction of tax is to be made. Power of Commissioner to require deductions to be made.
4. An employer to whom a list containing the particulars specified in Rule 3 is posted shall make the appropriate deductions of tax from the emoluments of his employees in accordance with the particulars contained in the list sent to him under that Rule. Duty of employer to make deductions.
5. The Commissioner may send to an employer by registered post a supplementary list or a notification of amendments to be made in the list sent in accordance with Rule 3 as the circumstances may require. Supplementary list.
6. The employer shall, not later than the seventh day of each month, remit to the Commissioner the total amount of the tax deducted by him from the emoluments of his employees during the preceding month, together with a list, in such form as the Commissioner may require, containing the names of these employees and the amount of tax deducted in the case of each employee. Remittances of tax deducted.
7. The Commissioner shall acknowledge receipt of each remittance made under Rule 6. Acknowledgement of remittances.

Employer's remittance to be an effective payment of tax by employee.

8 (1) Every remittance made by an employer shall be brought to account by the Commissioner, and shall be treated for all purposes as if the amount relative to each employee shown on the list had been a payment of tax made by him personally.

(2) The Commissioner shall issue to each such employee a receipt for each amount of tax deducted from his emoluments.

Duty of employer to furnish tax certificate at request of employee.

9. The employer shall, at the request of an employee, furnish him with a certificate specifying the tax that has been deducted from his emoluments.

Inspection of employer's records of emoluments.

10. The Commissioner or any person authorised by him may at any time request an employer to whom these Rules apply to produce for inspection any documents and records relating to the emoluments of his employees, and the employer shall comply with such request.

Recovery from employer of tax deducted and not remitted.

11. (1) Subject to the provisions of paragraph (2) of this Rule, tax deducted by an employer from the emoluments of an employee and not remitted to the Commissioner by the employer in accordance with these Rules may be recovered from the employer in a court of competent jurisdiction by the Commissioner in his official name, with full costs of suit, as a debt due to the Government of the Region.

(2) For the avoidance of doubt, it is declared that paragraph (1) of this Rule shall not apply to the head of any department of the Government of the Region, or to the principal officer in the Region of any department of the Government of the Federation.

MADE by the Governor in Council at Ibadan this 19th day of August, 1957.

A. HOLDEN,  
*Secretary to the Premier  
and Executive Council*

W.R.L.N. 225 of 1957

*The Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

ORDER DECLARING A PIONEER INDUSTRY

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

WHEREAS representations have been received pursuant to sub-section (i) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

1. This Order may be cited as the Aid to Pioneer Industries (No. 4) Citation. Order, 1957.

2. It is hereby declared that—

Declaration.

(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and

(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

SCHEDULE

*Industry*  
Manufacture of matches

*Products*  
Matches, match-boxes.

M. B. HALL,  
*Deputy Secretary to the Council  
of Ministers*

Lagos, 14th August, 1957.

**W.R.L.N. 226 of 1957**

*The Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

**ORDER DECLARING A PIONEER INDUSTRY**

DATE OF COMMENCEMENT : 22ND AUGUST, 1957

WHEREAS representations have been received pursuant to sub-section (i) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

- Citation. 1. This Order may be cited as the Aid to Pioneer Industries (No. 5) Order, 1957.
- Declaration. 2. It is hereby declared that—
- (a) the industry set out in the Schedule hereto shall be a pioneer industry ; and
  - (b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

**SCHEDULE**

<i>Industry</i>	<i>Products</i>
Machine-cleaning of kapok	Machine-cleaned kapok and kapok seeds.

M. B. HALL,  
*Deputy Secretary to the Council  
of Ministers*

Lagos, 14th August, 1957.



GOVERNMENT SECONDARY GRAMMAR SCHOOLS FOR GIRLS

- |   |  |
|---|--|
| 3. All registered pupils excluding pupils registered in respect of Higher School Certificate Classes, | } £30 Consolidated Fee ;<br>£5 Equipment Fee.  |
| 4. All pupils registered in respect of Higher School Certificate Classes.                             | } £45 Consolidated Fee ;<br>£15 Equipment Fee. |

GOVERNMENT TEACHER TRAINING COLLEGES FOR MEN

- |                              |  |  |
|------------------------------|--|--|
| 5. All registered pupils ... | £15 Consolidated Fee<br>£6 Equipment Fee | } In respect of the institutional year commencing on any date in the year 1957.                                    |
|                              | £20 Consolidated Fee<br>£6 Equipment Fee | } In respect of the institutional year commencing on any date in the year 1958 and succeeding institutional years. |

GOVERNMENT TEACHER TRAINING COLLEGES FOR WOMEN

- |                              |   |  |
|------------------------------|---|--|
| 6. All registered pupils ... | £5 Consolidated Fee<br>£8 Equipment Fee   | } In respect of the institutional year commencing on any date in the year 1957.                                    |
|                              | £20 Consolidated Fee<br>£10 Equipment Fee | } In respect of the institutional year commencing on any date in the year 1958 and succeeding institutional years. |

GOVERNMENT TRADE CENTRES

7. All registered pupils ... £15 Consolidated Fee.

GOVERNMENT WOMEN'S OCCUPATIONAL TRADE CENTRES

8. All registered pupils ... £7 10s Consolidated Fee in respect of institutional year commencing before 1st January, 1958.  
£15 Consolidated Fee in respect of institutional year commencing on or after 1st January, 1958.

MADE at Ibadan this 24th day of August, 1957.

J. A. OLA, ODEBIYI,  
Minister of Education

## W.R.L.N. 228 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE TEACHERS (GENERAL PROVISIONS) (AMENDMENT)  
(No. 2) REGULATIONS, 1957

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Minister of Education by section 76 of the Education Law, 1954 and after consultation with the Regional Advisory Board of Education, the following Regulations are hereby made :—

1. These Regulations may be cited as the Teachers (General Provisions) (Amendment) (No. 2) Regulations, 1957. Short title.

2. The Teachers (General Provisions) Regulations, 1956 are hereby amended by adding after Regulation 22 thereof the following regulation— Amendment to W.R.L.N. 87 of 1956.

“Approval to act as teacher in charge of a primary school.

22A. Notwithstanding the provisions of regulations 20, 21 and 22, where there is difficulty in obtaining the services of a teacher who is qualified under these Regulations to teach in any primary school as a head teacher, the Minister may give approval for any teacher not so qualified to act as the teacher in charge of that school”.

MADE at Ibadan this 24th day of August, 1957.

J. A. OLA. ODEBIYI,  
*Minister of Education*

**W.R.L.N. 229 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 19TH AUGUST, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Agriculture and Natural Resources to the Minister of Development, notified by the Delegation of Functions (Minister of Agriculture and Natural Resources) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*

**W.R.L.N. 230 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 24TH AUGUST, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (the Minister of Local Government) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
The Minister of Local Government.	The Minister of Lands and Labour.

GIVEN at Ibadan this 27th day of August, 1957.

A. HOLDEN,  
*Secretary to the Premier*

W.R.L.N. 231 of 1957

*Magistrates' Courts (Western Region) Law, 1954*  
(No. 5 of 1955)

THE MAGISTRATES' (MONTHLY CRIMINAL LISTS)  
AMENDED DIRECTIONS, 1957

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

I, ADETOKUNBO ADEGBOYEGA ADEMOLA, Kt., Chief Justice of the High Court of the Western Region of Nigeria, in exercise of the powers vested in me by section 42 (1) of the Magistrates' Courts (Western Region) Law, 1954, do hereby give the following Directions :—

1. These Directions may be cited as the Magistrates' (Monthly Criminal Lists) Amended Directions, 1957.

2. The Magistrates specified in the Schedule to these Directions are required to forward with the least possible delay, at the expiration of every calendar month a list of all criminal cases decided by them during that month within every Judicial Division of the High Court in which any such cases have been so decided to a Judge sitting in such Judicial Division.

SCHEDULE

All Magistrates and Senior Magistrates, except those who are specifically exempted by the Chief Justice and have received directions to that effect, shall render monthly Returns of all cases taken by them, within every Judicial Division of the High Court in which any such cases have been so decided, to a Judge sitting in such Judicial Division.

GIVEN under my hand this 23rd day of July, 1957.

A. ADE. ADEMOLA,  
*Chief Justice*

## W.R.L.N. 232 of 1957

*The Statutory Powers and Duties of Administrative Officers  
(Transfer) Law, 1956 (No. 4 of 1957)*THE TRANSFER OF ADMINISTRATIVE OFFICERS' POWERS  
(INTER-TRIBAL BOUNDARIES SETTLEMENT) ORDER, 1957

DATE OF COMMENCEMENT : 29TH AUGUST, 1957

In exercise of the powers conferred upon the Governor in Council by section 2 of the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956, the following Order is hereby made :—

1. This Order may be cited as the Transfer of Administrative Officers' Powers (Inter-Tribal Boundaries Settlement) Order, 1957.

2. The powers of Provincial Advisers in charge of a Province exercised under the sections of the Inter-Tribal Boundaries Settlement Ordinance set out in the first column of the Schedule hereto are hereby transferred to the officers named in the second column of the Schedule.

## SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Section 3 ... ..	Permanent Secretary, Ministry of Justice and Local Government.
Section 6 ... ..	Local Government Inspectors appointed under section 90 of the Local Government Law, 1957.
Section 9 ... ..	Local Government Inspectors appointed under section 90 of the Local Government Law, 1957.
Section 10 ... ..	Permanent Secretary, Ministry of Justice and Local Government.

MADE in Council this 9th day of August, 1957.

A. BOWER,  
*Acting Secretary to the Premier and  
Executive Council*

## W.R.L.N. 233 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1956  
IRRUA/EWU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 5TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irrua/Ewu District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Irrua/Ewu District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 8th day of May, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
15 of 1956.

J. R. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 16th August, 1957.

## W.R.L.N. 234 of 1957

*The Marketing Board Law, 1954*  
(No. 10 of 1954)

THE GRAPEFRUIT AND LEMONS MARKETING ORDER, 1957

DATE OF COMMENCEMENT : 1ST SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 44 of the Marketing Board Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Grapefruit and Lemons Marketing Order, 1957. and shall come into operation on the 1st day of September, 1957.

2. The Schedule to the Marketing Board Law, 1954, is hereby varied by inserting therein, between the words "Cocoa" and "Palm Oil," the words "Grapefruit" and "Lemons".

MADE by the Governor in Council at Ibadan this 19th day of August, 1957.

A. HOLDEN,  
*Secretary to the Premier and Executive Council*



## W.R.L.N. 235 of 1957

*Sales by Auction (Western Region—Application)  
Order in Council, 1957*

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 1 of the Sales by Auction Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Sales by Auction (Western Region—Application) Order in Council, 1957.
2. The provisions of the Sales by Auction Ordinance are hereby applied to all the Provinces in the Western Region which are situated in the Protectorate. Application of Cap. 203.
3. Order in Council No. 15 of 1917 as amended from time to time shall cease to apply to the Western Region. Revocation of Order in Council at p. 565 in Vol. IX of Laws of Nigeria, 1948.

MADE at Ibadan this 5th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

## W.R.L.N. 236 of 1957

*Sales by Auction Ordinance*  
(Cap. 203)

## APPOINTMENT OF LICENSING AUTHORITIES

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor by section 5 of the Sales by Auction Ordinance, the following officers mentioned in the first column of the schedule hereto are hereby appointed to be the licensing authorities for the areas specified in the second column :—

## SCHEDULE

<i>Licensing Authorities</i>	<i>Areas for which appointed</i>
Secretary, Ibadan (Provisional) District Council ...	Ibadan District
Secretary, Ogbomosho District Council ... ..	Ogbomosho District
Secretary, Oshogbo District Council ... ..	Oshogbo District
Secretary, Warri Urban District Council ... ..	Warri Urban District
Secretary, Sapele Urban District Council ... ..	Sapele Urban District
Secretary/Treasurer, Uromi-Uzea District Council ...	Uromi-Uzea District
Secretary, Benin Divisional Council ... ..	Benin Division
Secretary/Treasurer, Asaba Urban District Council ...	Asaba Urban District
Secretary, Etsako District Council ... ..	Etsako District
Secretary/Treasurer, Ika District Council ... ..	Ika District
Secretary, Akure Divisional Council ... ..	Akure Division
Secretary, Akoko Divisional Council ... ..	Akoko Division
Secretary, Ondo Divisional Council ... ..	Ondo Division
Secretary, Ekiti Divisional Council ... ..	Ekiti Division
Secretary, Owo Divisional Council ... ..	Owo Division
Secretary, Ife Divisional Council ... ..	Ife Division
Secretary, Ijesha Divisional Council ... ..	Ijesha Division
Secretary, Oyo Divisional Council ... ..	Oyo Division
Secretary, Ijebu Divisional Council ... ..	Ijebu Division
Secretary, Ijebu-Remo Divisional Council ... ..	Ijebu-Remo Division
Secretary, Egba Divisional Council ... ..	Egba Division
Secretary, Egbado Divisional Council ... ..	Egbado Division
Secretary, Ikeja District Council ... ..	Ikeja District

2. Government Notice No. 99 of 1917 at page 566 in Volume IX of the Laws of Nigeria, 1948 as amended from time to time shall cease to apply to the Western Region.

MADE at Ibadan this 5th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

## W.R.L.N. 237 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 26TH AUGUST, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Education to the Minister of Finance notified by the Delegation of Functions (Minister of Education) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*

## W.R.L.N. 238 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 6TH SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (the Minister of Home Affairs) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

## SCHEDULE

*Column 1*

The Minister of Home Affairs.

*Column 2*

The Minister of Justice and Local Government.

GIVEN at Ibadan this 5th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

**W.R.L.N. 239 of 1957**

*The Ex-Native Office Holders Removal Ordinance  
(Chapter 68)*

*The Ex-Native Office Holders Removal (Repeal) Law, 1956  
(No. 1 of 1957)*

**THE EX-NATIVE OFFICE HOLDERS REMOVAL  
(RESCISSION) ORDER, 1957**

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

In exercise of the powers conferred on the Governor by section 3 of the Ex-Native Office Holders Removal Ordinance, which powers are preserved only to the extent specified in sub-section (2) of section 2 of the Ex-Native Office Holders (Repeal) Law, 1956, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Ex-Native Office Holders Removal (Rescission) Order, 1957.

Rescission of  
Public  
Notice No.  
104 of 1950.

2. The Order made under the Ex-Native Office Holders Removal Ordinance, on the 19th day of July, 1950, directing that ADAMU, the Alara of Ilara, should leave the Akure District and not thereafter return to the said district without the prior consent of the Governor, is hereby rescinded.

GIVEN under my hand at Ibadan this 26th day of August, 1957.

A. G. R. MOORING,  
*Officer Administering the Government  
of the Western Region*

W.R.L.N. 240 of 1957

*The Local Government Law, 1957*

(No. 12 of 1957)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957  
SAPELE URBAN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Sapele Urban District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Sapele Urban District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 28th day of June, 1957, that the Markets Adoptive Bye-laws, 1956, be adopted substituting the following for the First and Second Schedules thereof :—

W.R.L.N.  
10 of 1956.

## FIRST SCHEDULE

"A" Stalls	... Concrete floor and corrugated iron or asbestos sheets.	13s per month or 70s for the half year if paid in advance on the 1st April and 1st October.
"B" Stalls	... Temporary open stalls with thatched roofed and without concrete floor.	6s per month or 30s for the half year if paid in advance on the 1st April and 1st October.
"B" Stalls	... Temporary open stalls with corrugated or asbestos sheets with or without concrete floor.	10s per month or 54s for the half year if paid in advance on the 1st April and 1st October.
"C" Stalls	... Lock-up stalls... ..	50s per month or 250s for the half year if paid in advance on the 1st April and 1st October.
Butchers type "A"	Concrete floor and corrugated iron or asbestos sheets roof.	15s per month or 81s for the half year if paid in advance on the 1st April and 1st October.
Butchers type "B"	Concrete floor and corrugated iron or asbestos sheets roof.	10s per month or 54s for the half year if paid in advance on the 1st April and 1st October.

## SECOND SCHEDULE

All persons using the market temporarily who are known as squatters and who have no stalls of their own shall pay 1d per day to the Market Master.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th August, 1957.

**W.R.L.N. 241 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957: AKAKA LOCAL COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Akaka Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Akaka Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 29th day of June, 1957, that the Control of Drumming Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th August, 1957.

**W.R.L.N. 242 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957: IPERU LOCAL COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Iperu Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Iperu Local Council, in accordance with section 82 (3) (a) of the said Law, has resolved at its meeting held on the 27th day of April, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 28th August, 1957.

**W.R.L.N. 243 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : IJEBU EASTERN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ijebu Eastern District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ijebu Eastern District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 8th day of June, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957, be adopted.

W.R.L.N.  
55 of 1957.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th August, 1957.

**W.R.L.N. 244 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957  
EKITI NORTHERN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Northern District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ekiti Northern District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 14th day of June, 1957, that the Markets Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
10 of 1956.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 26th August, 1957.

**W.R.L.N. 245 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957 : ODE-LEMO LOCAL COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ode-Lemo Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ode-Lemo Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 29th day of April, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 29th August, 1957.

**W.R.L.N. 246 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957 : ODE-REMO LOCAL COUNCIL

DATE OF COMMENCEMENT : 12TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ode-Remo Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ode-Remo Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 29th day of June, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 29th August, 1957.

## W.R.L.N. 247 of 1957

*Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 1ST SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulation, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Urhobo West ...	The Secretary, Sapele Urban District Council.	Sapele Urban District Council Area.

2. The appointment of Mr S. O. Adeola as Electoral Officer, Sapele Urban District Council notified in Western Region Legal Notice 44 of 1957 is hereby revoked.

V. H. WARREN,  
*Electoral Commissioner,  
Western Region*

Ibadan, 5th September, 1957.



**W.R.L.N. 248 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE OGULA LOCAL COUNCIL**

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Ogula Local Council is hereby amended as follows :—

W.R.L.N.  
233 of 1955.

*Delete* paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor—

"4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of fourteen elected members.

6. The quorum shall be five members."

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

W.R.L.N. 249 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE OPEREMOR LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Operemor Local Council is hereby amended as follows :—

W.R.L.N.  
234 of 1955.

*Delete* paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor—

“4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of thirty-five elected members.

6. The quorum shall be twelve members”.

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

## W.R.L.N. 250 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE KABOWEI LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Kabowei Local Council is hereby amended as follows :—

W.R.L.N.  
227 of 1955.

In paragraph 6 of the said Instrument *delete* "eleven" and *substitute* therefor "seven".

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

## W.R.L.N. 251 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE NGBILEBIRI-MEIN LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Ngbilebiri-Mein Local Council is hereby amended as follows :—

W.R.L.N.  
228 of 1955.

In paragraph 6 of the said Instrument *delete* "eight" and *substitute* therefor "five".

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 252 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE KUMBOWEI LOCAL COUNCIL**

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
229 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Kumbowei Local Council is hereby amended as follows :—

In paragraph 6 of the said Instrument *delete* "nine" and *substitute* therefor "six".

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957,

**W.R.L.N. 253 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE OBOTEBE LOCAL COUNCIL**

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
230 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Obotebe Local Council is hereby amended as follows :—

*Delete* paragraphs 4 and 5 of the said Instrument and *substitute* therefor—

"4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of nine elected members."

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 254 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE AKUGBENE-MEIN LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Akugbene-Mein Local Council is hereby amended as follows :—

W.R.L.N.  
222 of 1955.

In paragraph 6 of the said Instrument : *delete* "fifteen" and *substitute* therefor "ten".

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 255 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE BENNI LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Benni Local Council is hereby amended as follows :—

W.R.L.N.  
223 of 1955.

*Delete* paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor :—

"4? A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of twenty-one elected members.

6. The quorum shall be seven members."

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 256 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE BURUTU LOCAL COUNCIL**

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
224 of 1955.

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Burutu Local Council is hereby amended as follows :—

Delete paragraphs 4 and 5 of the said Instrument and *substitute* therefor—

“4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of twenty-three members, namely :  
Five traditional members  
Eighteen elected members.”

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 257 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE IDUWINI LOCAL COUNCIL**

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
226 of 1955.

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Iduwini Local Council is hereby amended as follows :—

Delete paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor—

“4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of eighteen elected members.  
6. The quorum shall be six members.”

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 258 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE TUOMO LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Tuomo Local Council is hereby amended as follows :—

W.R.L.N.  
237 of 1955.

Delete paragraphs 4, 5 and 6 of the said Instrument and substitute therefor—

"4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument."

5. The Council shall consist of eighteen elected members.

6. The quorum shall be six members."

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 259 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957  
EGBADO-IFONYIN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbado-Ifonyin District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbado-Ifonyin District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 1st day of July, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
55 of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 5th September, 1957.

**W.R.L.N. 260 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE SEIMBIRI LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
235 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Seimbiri Local Council is hereby amended as follows :—

*Delete* paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor—

“4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of seventeen elected members.

6. The quorum shall be six members.”

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 261 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE TARAKIRI LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

W.R.L.N.  
236 of 1955. In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Tarakiri Local Council is hereby amended as follows :—

In paragraph 6 of the said Instrument *delete* “fifteen” and *substitute* therefor “ten”.

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

## W.R.L.N. 262 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE OGBOLUBIRI-MEIN LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Ogbolubiri-Mein Local Council is hereby amended as follows :— W.R.L.N.  
231 of 1955.

In paragraph 6 of the said Instrument, *delete* "seven" and *substitute* therefor "five".

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

## W.R.L.N. 263 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE OGOBIRI-MEIN LOCAL COUNCIL

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Ogobiri-Mein Local Council is hereby amended as follows :— W.R.L.N.  
232 of 1955.

*Delete* paragraphs 4, 5 and 6 of the said Instrument and *substitute* therefor—

"4. A Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of fourteen elected members.

6. The quorum shall be five members."

MADE by the Governor in Council this 4th day of September, 1957.

A. HOLDEN,  
*Secretary to the Premier*

9th September, 1957.

**W.R.L.N. 264 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 10TH SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Asaba West	... The Secretary, Ika District Council	Ika District Council Area.

2. The appointment of the Secretary/Treasurer, Ika District Council as Registration Officer notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

V. H. WARREN,  
*Electoral Commissioner,  
Western Region*

Ibadan, 10th September, 1957.

## W.R.L.N. 265 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (IBADAN GENERAL WATER RATE)  
ORDER, 1957

DATE OF COMMENCEMENT : 19TH SEPTEMBER, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Ibadan General Water Rate) Order, 1957, and shall apply to Ibadan Town, the boundaries of which are marked and delineated in blue on Plan Ibadan (Provisional) District Council No. 125 (which is deposited at the Office of the Town Engineer, Ibadan). Short title.
2. Subject to paragraph 3 of this Order, an annual general water rate of twelve shillings is hereby levied on all male persons of or over sixteen years of age resident in the town of Ibadan. Levy of General Water Rate.
3. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this Order— Exemptions.
- (a) students in full time attendance at any school, college or training centre ;
- (b) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;
- (c) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :
- Provided that no more than eight persons shall be exempted in respect of any one tenement.
4. The general water rate imposed by this Order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957. Rate to be payable in advance.
5. The Waterworks (Ibadan General Water Rate) Order, 1954 is hereby revoked. Revocation of Order No. 110 of 1954.

MADE at Ibadan this 17th day of August, 1957, by the Ibadan (Provisional) District Council's Order.

I. B. AKINYELE,  
*Chairman,*  
*Ibadan (Provisional) District Council*

W. S. A. WARREN,  
*Secretary,*  
*Ibadan (Provisional) District Council*

APPROVED by the Minister of Local Government this 2nd day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*



## W.R.L.N. 266 of 1957

*The Aid to Pioneer Industries Ordinance, 1952  
(No. 10 of 1952)*

## ORDER DECLARING A PIONEER INDUSTRY

DATE OF COMMENCEMENT : 26TH SEPTEMBER, 1957

WHEREAS representations have been received pursuant to sub-section (1) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

1. This Order may be cited as the Aid to Pioneer Industries (No. 6) Order, 1957. Citation.

2. It is hereby declared that—

(a) the industry set out in the Schedule hereto shall be a Pioneer industry ; and Declara-  
tion.

(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

## SCHEDULE

<i>Industry</i>	<i>Products</i>
Manufacture of agricultural fertilizers.	Agricultural fertilizers manufactured from materials of Nigerian origin or substantially the product of local processing.

MAURICE JENKINS,  
*Acting Deputy Secretary to the Council of Ministers*

Lagos, 24th August, 1957.

No. I.0214/S.33/63

**W.R.L.N. 267 of 1957**

**ORDER made under THE NIGERIA TOWN AND  
COUNTRY PLANNING ORDINANCE**

*(Cap. 155)*

DATE OF COMMENCEMENT : 26TH SEPTEMBER, 1957

In exercise of the powers conferred by section 11 of the Nigeria Town and Country Planning Ordinance the following Order is hereby made :—

Short title.

1. This Order may be cited as the Somolu Town Planning (Interim Development) Order, 1957.

Interim  
develop-  
ment  
allowed.

2. Interim development shall be permitted with the specific consent of the Ikeja Area Planning Authority within the area described (as part of Planning Area No. 1 Declaration of Planning Area Order, 1957. W.R.L.N. 117) below :—

Area—

(i) bounded in the west by compensation beacons No. L 5972 to No. L 6096 east of and along Ikorodu Road.

(ii) bounded on the north by a line drawn at right angle to compensation line from L 5972 and running 2,000 feet eastwards.

(iii) bounded on the south by Orthopaedic Hospital north boundary.

(iv) bounded on the east by a line running parallel to and 2,000 feet east of compensation line.

MADE at Ibadan this 16th day of September, 1957.

D. S. ADEGBENRO,  
*Minister of Lands and Labour*

## W.R.L.N. 268 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 26TH SEPTEMBER, 1957

Notice is hereby given under Regulation 46 of the Forestry Regulations that the Working Plans in the first column of the schedule hereto have been decided upon for the areas in the second column of the schedule and are available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Egbado Group	(a) Ilaro Forest Reserve (Egbado Division). (b) Part of Eggua Forest Reserve (Egbado Division). (c) Part of Ohumbe Forest Reserve (Egbado Division). (d) Part of Aworo Forest Reserve (Egbado Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Abeokuta.
Olokemeji Plantation Fueland Pole Working Circle.	Part of Olokemeji Forest Reserve (Egba Division).	(a) Office of the Chief Conservator of Forests, Ibadan.  (b) Office of the Provincial Forest Officer, Abeokuta.
Omo-Oshun ...	(a) Part of Omo Forest Reserve (Ijebu Division). (b) Oshun Forest Reserve (Ijebu Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Ijebu-Ode.
Akilla Plantation	Part of Omo Forest Reserve (Ijebu Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Ijebu-Ode.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plans.

GIVEN at Ibadan this 10th day of September, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,*  
*Western Region*

**W.R.L.N. 269 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 17TH SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Local Government to the Minister of Lands and Labour, notified by the Delegation of Functions (Minister of Local Government) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*

**W.R.L.N. 270 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 21ST SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Finance) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

SCHEDULE

*Column 1*  
Minister of Finance.

*Column 2*  
The Premier.

GIVEN at Ibadan this 21st day of September, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier*

## W.R.L.N. 271 of 1957

*The Interpretation Ordinance (Cap. 94)*

## DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 21ST SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Development) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

## SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Minister of Development.	Minister of Agriculture and Natural Resources.

GIVEN at Ibadan this 21st day of September, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier*



## W.R.L.N. 272 of 1957

*The Education Law, 1954 (No. 6 of 1955)*THE WESTERN IJAW DIVISIONAL COUNCIL LOCAL  
EDUCATION AUTHORITY (PRIMARY SCHOOL BUILDING  
PROGRAMME) (DEFAULT) (AMENDMENT) ORDER, 1957

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of the powers conferred upon the Minister of Education by section 14 of the Education Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Western Ijaw Divisional Council Local Education Authority (Primary School Building Programme) (Default) (Amendment) Order, 1957. Short title.

2. The Western Ijaw Divisional Council Local Education Authority (Primary School Building Programme) (Default) Order, 1957 is hereby amended by substituting for the expression "three months" in sub-paragraph (a) of paragraph 3 thereof, the expression "eight months". Amendment to W.R.L.N. 149 of 1947.

MADE at Ibadan this 13th day of August, 1957.

J. O. OSUNTOKUN,  
*Minister of Education*

I consent to the making of the above Order.

DATED the 17th day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Local Government*

W.R.L.N. 273 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT TO MAKE PROVISION FOR ADMINISTRATIVE  
ARRANGEMENTS NECESSITATED BY THE REVOCATION OF  
THE INSTRUMENT OF APPOINTMENT OF THE OSHUN  
DIVISIONAL COUNCIL

1. In exercise of the powers conferred on the Governor in Council by section 10 of the Local Government Law, 1957, there is hereby established a Provisional Authority for the purpose of providing for the transfer of the assets of the Oshun Divisional Council and for the making of the necessary administrative arrangements consequent on the revocation of its Instrument by section 264 (2) of the said Law.

2. The Provisional Authority shall be known as the Oshun Provisional Authority and shall be deemed to have come into existence on 12th April, 1957.

3. The Provisional Authority shall consist of the Chairmen of the Aiyedade, Ede, Egbedore, Ejigbo, Ifelodun, Ikirun, Odo-Otin, Oshogbo, Iwo and Ogbomosho District Councils provided that the Chairman of any of the Councils may authorise in writing another member of such Council to attend a meeting or meetings of the Provisional Authority in his place. The term of office of a member shall expire when he ceases to hold the office of Chairman.

4. The Chairman of the Provisional Authority shall be elected by a majority vote by and from among the members of the Provisional Authority.

5. There shall be transferred to the Provisional Authority all staff assets, property and liabilities and contracts formerly belonging to the Oshun Divisional Council.

6. The Provisional Authority may, with the approval of the Minister to whom the responsibility for Local Government is assigned, transfer, distribute or dispose of such assets, liabilities or staff.

7. The Provisional Authority shall make recommendations as to the future administration of those services not transferred in full to the District Councils and may administer such services until the appointment for that purpose of a Joint Board under section 56 of the Local Government Law, 1957. The liability for the cost of operation of such services shall be allocated between the District Councils concerned in such proportion as the Provisional Authority may, with the approval of the Minister, determine.

8. The following provisions of the Local Government Law, 1957, shall apply in relation to the Provisional Authority as they apply in relation to a council :—

- (a) Sections 72-76 inclusive.
- (b) Sections 114-125 inclusive.
- (c) Parts XVI and XXI.

MADE at Ibadan this 23rd day of September, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

W.R.L.N. 274 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT TO MAKE PROVISION FOR ADMINISTRATIVE  
ARRANGEMENTS NECESSITATED BY THE REVOCATION OF  
THE INSTRUMENT OF APPOINTMENT OF THE ISHAN  
DIVISIONAL COUNCIL

1. In exercise of the powers conferred on the Governor in Council by section 10 of the Local Government Law, 1957, there is hereby established a Provisional Authority for the purpose of providing for the transfer of the assets of the Ishan Divisional Council and for the making of the necessary administrative arrangements consequent on the revocation of its Instrument by section 264 (2) of the said Law.

2. The Provisional Authority shall be known as the Ishan Provisional Authority and shall be deemed to have come into existence on 12th April, 1957.

3. The Provisional Authority shall consist of seven members to be elected one each by and from among the members of the Uromi-Uzea, Ewohimi-Ewatto-Ewossa, West Ishan, North East Ishan, South East Ishan, Ivie-Uda-Esaba, and Irrua-Ewu District Councils provided that the member elected by any of the Councils may authorise in writing another member of such council to attend a meeting or meetings of the Provisional Authority in his place. The term of office of a member shall expire on the date appointed under sub-section (2) of section 25 of the Local Government Law, 1957 for the holding of a general election to Local Government Councils in Ishan Division.

4. The Chairman of the Provisional Authority shall be elected by a majority vote by and from among the members of the Provisional Authority.

5. There shall be transferred to the Provisional Authority all staff assets, property and liabilities and contracts formerly belonging to the Ishan Divisional Council.

6. The Provisional Authority may, with the approval of the Minister to whom the responsibility for Local Government is assigned, transfer, distribute or dispose of such assets, liabilities or staff.

7. The Provisional Authority shall make recommendations as to the future administration of those services not transferred in full to the District Councils and may administer such services until the appointment for that purpose of a Joint Board under section 56 of the Local Government Law, 1957. The liability for the cost of operation of such services shall be allocated between the District Councils concerned in such proportion as the Provisional Authority may with the approval of the Minister, determine.

8. The following provisions of the Local Government Law, 1957, shall apply in relation to the Provisional Authority as they apply in relation to a council :—

- (a) Sections 72-76 inclusive.
- (b) Sections 114-125 inclusive.
- (c) Parts XVI and XXI.

MADE at Ibadan this 23rd day of September, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Executive Council*

**W.R.L.N. 275 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE EGBADO KETU DISTRICT COUNCIL (MARKET)**  
**(AMENDMENT) BYE-LAWS, 1957**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of the powers conferred upon the Egbado Ketu District Council by section 67 of the Local Government Law, 1957, the following bye-laws have been made by the Egbado Ketu District Council with the approval of the Minister of Justice and Local Government.

1. These Bye-laws may cited as the Egbado Ketu District Council (Market) (Amendment) Bye-laws, 1957.

2. Bye-law 4 of the Egbado Ketu District Council (Market) Bye-laws, 1956 is hereby amended by the inclusion of the following :—

“(b) In respect of each privately built stall occupied in the Market per month—1s.

“(c) In respect of each open space used as a stall per market day—1d per person trading.

“(d) In respect of private lock-up shops occupied in the Market per month—2s 6d.

“(e) For parking of motor vehicles in the Market for the purposes of settling down or picking up food or merchandise per motor vehicle per market day—1s.”

MADE by the Egbado Ketu District Council this 23rd day of July, 1957.

The seal of the Council being hereunto affixed in the presence of :—

J. O. OLALEYE,  
*Chairman,*  
*Egbado Ketu District Council*

I. A. OGUNDELE,  
*Secretary*  
*Egbado Ketu District Council*

*Signified in accordance with the Egbado Ketu District Council Standing Orders dated the 20th day of August, 1954.*

APPROVED this 23rd day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 276 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE VEHICLE LICENSING ADOPTIVE (AMENDMENT)  
BYE-LAWS ORDER, 1957

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of the powers conferred by section 82 (1) of the Local Government Law, 1957 upon the Minister to whom responsibility for Local Government is assigned, the following Order is hereby made :—

1. This Order may be cited as the Vehicle Licensing Adoptive (Amendment) Bye-laws Order, 1957. Short title.

2. The Vehicle Licensing Adoptive Bye-laws Order, 1956, is hereby amended as follows :—

Amends  
bye-law  
3 (1), revokes  
and substitutes  
new  
bye-law 3 (3),  
adds new  
bye-law 10  
and deletes  
the Second  
Schedule.

(a) *Bye-law 3 (1)* : By *deleting* the following words in bye-law 3 (1) :  
“the fee specified in the Second Schedule”, and *substituting* the following therefor :—

“such fee as the Council may by resolution prescribe”.

(b) *Bye-law 3 (3)* : By *revoking* paragraph (3) of bye-law 3 and *substituting* the following therefor :—

“3. (3) This bye-law shall not apply to any vehicle in respect of which there is in force for the time being a current licence issued by any other Local Government Council :

Provided that if the fee paid for the licence is less than the fee which is required for a licence under these bye-laws the person owning or keeping the vehicle shall pay to the Council the difference between the fee paid for the licence and the fee which is required for a similar licence under these bye-laws”.

(c) *Bye-law 10* : By *adding* the following new Bye-law after bye-law 9 therefor :—

“10. A copy of any resolution of the Council passed in accordance with bye-law 3 (1) shall, so long as it has effect, be available for inspection by members of the public at the office of the Council during the normal hours of business”.

(d) *Schedule* : By *deleting* the Second Schedule thereof.

MADE at Ibadan this 13th day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

**W.R.L.N. 277 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1957  
EGBA OWODE DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 278 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1957  
EGBA OBAFEMI DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Obafemi District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Obafemi District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of May, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 279 of 1957***The Local Government Law, 1957  
(No. 12 of 1957)***THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957 : EGBA OBAFEMI DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Obafemi District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Obafemi District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of May, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 24th September, 1957.

**W.R.L.N. 280 of 1957***The Local Government Law, 1957  
(No. 12 of 1957)***THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957 : EGBA OWODE DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 24th September, 1957.

**W.R.L.N. 281 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF SHEEP AND GOATS ADOPTIVE  
BYE-LAWS ORDER, 1957

EGBA OWODE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Control of Sheep and Goats Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
14 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 282 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957

IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Registration of Births and Deaths Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
15 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 283 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF PIGS ADOPTIVE BYE-LAW ORDER, 1957  
IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 284 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : EGUN-AWORI DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egun-Awori District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of August, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
55 of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 285 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE VEHICLE LICENSING ADOPTIVE  
BYE-LAWS ORDER, 1957  
EGBA OWODE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

W.R.L.N. 11  
of 1956.

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Vehicle Licensing Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 286 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
EGBA OWODE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

W.R.L.N. 15  
of 1956.

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Registration of Births and Deaths Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 287 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF SHEEP AND GOATS ADOPTIVE  
BYE-LAWS ORDER, 1957 : EGBA OBAFEMI  
DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Obafemi District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Obafemi District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of May, 1957, that the Control of Sheep and Goats Adoptive Bye-laws Order, 1956, be adopted. W.R.L.N. 14  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan. 18th September, 1957.

**W.R.L.N. 288 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF SHEEP AND GOATS ADOPTIVE  
BYE-LAWS ORDER, 1957 : EGUN-AWORI  
DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egun-Awori District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of August, 1957, that the Control of Sheep and Goats Adoptive Bye-laws Order, 1956, be adopted. W.R.L.N. 14  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 10th September, 1957.

**W.R.L.N. 289 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1957  
IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

W.R.L.N. 11 of 1956. Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Vehicle Licensing Adoptive Bye-laws Order, 1956, be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 290 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF MARRIAGES  
ADOPTIVE BYE-LAWS ORDER, 1957  
IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

W.R.L.N. 4 of 1957. Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Registration of Marriages Adoptive Bye-laws Order, 1956 be adopted.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 291 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE MARKET ADOPTIVE BYE-LAWS ORDER, 1957  
IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Market Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 10  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 292 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE MARKET ADOPTIVE BYE-LAWS ORDER, 1957  
EGBA OWODE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egba Owode District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egba Owode District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of August, 1957, that the Market Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N. 10  
of 1956.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 293 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1957  
EGUN-AWORI DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egun-Awori District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egun-Awori District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of August, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

**J. R. V. A. BROMAGE,**  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 9th September, 1957.

**W.R.L.N. 294 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE CONTROL OF PIGS ADOPTIVE BYE-LAWS ORDER, 1957  
IPOKIA DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ipokia District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ipokia District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of August, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

**J. R. V. A. BROMAGE,**  
*Acting Permanent Secretary,  
Ministry of Justice and Local Government*

Ibadan, 23rd September, 1957.

**W.R.L.N. 295 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE  
BYE-LAWS ORDER, 1957 : IKA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ika District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ika District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
55 of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 296 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : ONDO CENTRAL DISTRICT COUNCIL

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ondo Central District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ondo Central District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 31st day of July, 1957, that the Control of Motor Parks Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
55 of 1957.

J. R. V. A. BROMAGE,  
*Acting Permanent Secretary,*  
*Ministry of Justice and Local Government*

Ibadan, 18th September, 1957.

**W.R.L.N. 297 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS \*  
(AMENDMENT) ORDER, 1957**

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of the powers conferred by section 82 of the Local Government Law, 1957, upon the Regional Minister to whom responsibility for local government is assigned, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Control of Drumming Adoptive Bye-laws (Amendment) Order, 1957.

Amendment  
of Order,  
W.R.L.N.  
13 of 1956.

2. The Control of Drumming Adoptive Bye-laws Order, 1956, is hereby amended by the addition to the Schedule to the Order of the following bye-law :—

"Variation of Schedules. 9. The First and Third Schedules to these Bye-laws may be varied by resolution of the council to be published in the Regional Gazette".

MADE at Ibadan this 25th day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 298 of 1957

*The Chiefs Law, 1957*  
(No. 20 of 1957)

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of the powers conferred upon him by section 3 of the Chiefs Law, 1957, the Minister hereby applies Part II of the Chiefs Law, 1957 to the chieftaincies referred to in the first column of the Schedule to this notice and designates as the competent local government council in respect of each such chieftaincy the respective local government council specified opposite thereto in the second column of the said Schedule.

SCHEDULE

(1)	(2)
<i>Chieftaincies to which Law is to be applied</i>	<i>Competent Local Government Council</i>
1. The Oba Abepa of Jiga ... ..	Egbado Ketu District Council
2. The Balc of Ajilete ... ..	Egbado Ifonyin District Council
3. The Bale of Ifonyintedo ... ..	
4. Chief Bajomo of Ado ... ..	
5. Chief Osolo of Ado ... ..	
6. Chief Aro of Ado ... ..	
7. Chief Ajiroba of Ado ... ..	
8. Chief Seriki of Ado ... ..	Ado Igbessa District Council
9. Chief Balogun of Ado ... ..	
10. Chief Ajana of Igbessa ... ..	
11. Chief Elero of Igbessa ... ..	
12. Chief Petu of Igbessa ... ..	
13. Chief Aro of Igbessa ... ..	
14. The Clan Head of South Ineme ... ..	
15. The Clan Head of Ekperi ... ..	
16. The Clan Head of South Ibie ... ..	
17. The Clan Head of Ukpilla ... ..	
18. The Clan Head of Weppa-Wanno ... ..	
19. The Village Head of Atte ... ..	Akoko-Edo District Council
20. The Senior Village Head of North East Akoko ... ..	
21. The Senior Village Head of North Akoko ... ..	
22. The Konye of Irele ... ..	Ikale-Idapometa District Council
23. The Gboroye of Irele ... ..	
24. The Ojomu of Irele ... ..	Ekamarun District Council
25. Chief Ekun of Ifon ... ..	
26. Chief Arogheren of Sobe ... ..	Irekari District Council
27. The Ologhen of Afo ... ..	
28. Chief Eleshi ... ..	Omuo Local Council
29. Chief Oloruju ... ..	
30. Chief Oluetota of Ikpesi ... ..	Ilelabo Local Council
31. Chief Olodeagada of Ikpesi ... ..	
32. Chief Elisa of Shosan ... ..	Oka District Council
33. The Alagba ... ..	
34. The Asin ... ..	
35. The Oloja of Epe ... ..	Epe District Council

SCHEDULE—*contd.*

(1)	(2)
<i>Chieftaincies to which Law is to be applied</i>	<i>Competent Local Government Council</i>
36. Chief Jengen ... ..	} Egun-Awori District Council
37. Chief Possu ... ..	
38. Chief Agoloto... ..	
39. Chief Fihento... ..	
40. Chief Bala ... ..	
41. Chief Mobi ... ..	} Ijebu Western District Council Ilishan Local Council
42. The Bale of Eyinwa ... ..	
43. The Olofin of Ilishan ... ..	} Iwara Local Council
44. The Niyinta of Iyinta ... ..	
45. The Loja Odo of Odo ... ..	
46. The Arode of Irode ... ..	
47. The Loye of Ijigun ... ..	
48. The Alamo of Aiyegbaju ... ..	} Iwo District Council Egbedore District Council
49. The Ekerin of Iwo ... ..	
50. The Otun Olufi of Gbongan ... ..	

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

Ibadan, 23rd September, 1957.

**W.R.L.N. 299 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 25TH SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Egba South ...	The Secretary, Otta District Council.	Otta District Council Area.

2. The appointment of the Treasurer, Otta District Council as Electoral Officer notified in Western Region Legal Notice 217 of 1956 is hereby revoked.

V. H. WARREN,  
Electoral Commissioner,  
Western Region

Ibadan, 25th September, 1957.

**W.R.L.N. 300 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 25TH SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Assistant Electoral Officer has been made :—

<i>Constituency</i>	<i>Assistant Electoral Officer</i>	<i>Area of Responsibility</i>
Oshun North-East	The Secretary/Treasurer, Odo-Otin District Council.	Odo-Otin District Council Area.

2. The appointment of Mr E. M. Olagunju as Assistant Electoral Officer notified in Western Region Legal Notice 235 of 1956 is hereby revoked.

V. H. WARREN,  
Electoral Commissioner,  
Western Region

Ibadan, 25th September, 1957.

**W.R.L.N. 301 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 25TH SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Asaba West ...	The Secretary, Ika District Council.	Ika District Council Area.

2. The appointment of the Secretary/Treasurer, Ika District Council as Electoral Officer notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

V. H. WARREN,  
*Electoral Commissioner,  
Western Region*

Ibadan, 25th September, 1957.

**W.R.L.N. 302 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955.*

APPOINTMENT OF RETURNING OFFICER

DATE OF COMMENCEMENT : 25TH SEPTEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 5 (2) of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Returning Officer has been made for the purpose of Local Government elections :—

<i>Constituency</i>	<i>Returning Officer</i>	<i>Area of Responsibility</i>
Egba South ...	The Secretary, Otta District Council.	Otta District Council Area.

2. The appointment of the Treasurer, Otta District Council as Returning Officer notified in Western Region Legal Notice 216 of 1956 is hereby revoked.

V. H. WARREN,  
*Electoral Commissioner,  
Western Region*

Ibadan, 25th September, 1957.

**W.R.L.N. 303 of 1957**

*ORDER made under SECTION 16 OF THE DOGS ORDINANCE  
(Cap. 56)*

DATE OF COMMENCEMENT : 3RD OCTOBER, 1957

In exercise of its powers under section 16 of the Dogs Ordinance, the Akure District Council hereby makes the following Order :—

1. This Order may be cited as the Rabies (Akure Town) Declaration and Prohibition Order, 1957.
2. The town of Akure within a circle having a radius of three (3) miles with the Akure Post Office as centre, is declared to be a diseased area.
3. The removal of dogs from the diseased area to any other area or from any other area to the diseased area is prohibited.

MADE at Akure this 9th day of August, 1957.

J. A. FALOYE,  
*Chairman, Akure District Council*

R. O. ADUBUOLA,  
*Secretary/Treasurer, Akure District Council*

**W.R.L.N. 304 of 1957**

*The Interpretation Ordinance  
(Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 18TH SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Premier to the Minister of Development, notified by the Delegation of Functions (Premier) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*



W.R.L.N. 305 of 1957

*The Interpretation Ordinance*  
(Cap. 94)

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 28TH SEPTEMBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Home Affairs to the Minister of Justice and Local Government, notified by the Delegation of Functions (Minister of Home Affairs) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*



## W.R.L.N. 306 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT APPOINTING A JOINT EDUCATION BOARD  
FOR THE AGEGE, IKEJA AND MUSHIN  
DISTRICT COUNCIL AREAS

DATE OF COMMENCEMENT : 10TH OCTOBER, 1957

In exercise of the powers conferred upon them by section 56 of the Local Government Law, 1957, the following Instrument is made by the Agege District Council, the Ikeja District Council and the Mushin District Council :—

1. This Instrument may be cited as the Agege-Ikeja-Mushin Joint Education Board Instrument, 1957. Short title.
2. In this Instrument—  
     “contributing councils” means the councils by which this Instrument is made ;  
     “the joint board” means the board established by paragraph 3 of this Instrument.
3. The contributing councils hereby appoint a joint board for the purpose of discharging all such functions relating to education as are conferred upon them by their Instruments of appointment. Establishment of joint board.
4. (1) The joint board shall consist of nine members of whom— Membership of joint board and method of appointment.
  - (a) one shall be appointed by the Agege District Council ;
  - (b) four shall be appointed by the Ikeja District Council ; and
  - (c) four shall be appointed by the Mushin District Council.

(2) Each member of the joint board to be appointed by a contributing council shall be selected for appointment by the contributing council from among its own members by ballot.
5. (1) Each member of the joint board shall hold office for three years when he shall retire without prejudice to his reappointment under the provisions of this Instrument. Tenure of office.
  - (2) The seat of a member of the joint board shall become vacant—
    - (a) at the expiration of his term as provided by the preceding paragraph ;
    - or
    - (b) upon his death, or
    - (c) if he resigns by notice in writing addressed to the chairman ; or
    - (d) upon the dissolution of the contributing council he represents ; or
    - (e) if he ceases to be a member of the contributing council which he represents ; or
    - (f) if he is absent from four consecutive meetings of the joint board.

Appointment of chairman.

6. (1) When the joint board first meets and thereafter whenever the office of the chairman becomes vacant, the members of the joint board shall elect a chairman from amongst their number.

(2) The office of chairman shall become vacant—

(a) at the commencement of the first meeting of the joint board occurring more than twelve months after his election ; or

(b) if he ceases to be a member of the joint board ; or

(c) if he dies ; or

(d) if he resigns by writing under his hand addressed to the Secretary of the joint board.

Transfer of staff and property.

7. There shall be transferred to and vest in the joint board with effect from the commencement of this Instrument—

(a) all administrative staff of the contributing councils who are directly engaged in the discharge of education functions and all teaching staff employed by the contributing councils ;

(b) all rights and liabilities of the contributing councils in connection with education ;

(c) all property held by the contributing councils for the purpose of education.

Delegation of functions.

8. There shall be delegated to the joint board with effect from the commencement of this Instrument such of the functions and powers of the contributing councils relating to education as are specified in their Instruments of appointment, and such functions shall specifically include the control of all financial arrangements relating to education.

Signed, sealed and delivered on behalf of the Agege District Council,  
J. I. OGUNJI,  
*President*

I. K. ADEYEMI,  
*Chairman*

Signed, sealed and delivered on behalf of the Ikeja District Council,

J. OLA. AYENI,  
*Chairman*

Signed, sealed and delivered on behalf of the Mushin District Council,

J. O. ABATI,  
*Chairman*

In the presence of :—

T. CRAIG,  
*Secretary,*  
*Agege District Council*

G. O. LATOKUN,  
*Secretary,*  
*Ikeja District Council*

E. K. AKINLADE,  
*Secretary,*  
*Mushin District Council*

APPROVED this 23rd day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 307 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE EKITI WESTERN DISTRICT COUNCIL  
(EFFON TOWN WATER SUPPLY—CONSTRUCTION OF  
BUILDINGS) BYE-LAWS, 1957

DATE OF COMMENCEMENT : 10TH OCTOBER, 1957

In exercise of the powers conferred upon the Ekiti Western District Council by sections 67 (37) and 271 of the Local Government Law, 1957 the following Bye-laws have been made by the Ekiti Western District Council with the approval of the Minister of Justice and Local Government.

1. These Bye-laws may be cited as the Ekiti Western District Council Short title.  
(Efon Town Water Supply—Construction of Buildings) Bye-laws, 1957 and shall apply to all persons subject to the jurisdiction of the Ekiti Western District Council.

2. In these bye-laws :—

Definitions.

“Council” means the Ekiti Western District Council.

“Building” include any building of mud, cement brick, of stone construction other than a temporary shed.

3. No person shall draw water from the Efon Town Water supply for the purpose of constructing a building without a permit issued by the Council. Issue of permit.

4. (1) The fees prescribed in the schedule hereto shall be paid before the issue of a permit. Permit fees.

(2) The Secretary/Treasurer of the Council shall collect all fees and issue a printed receipt for each fee collected. Collection and receipt thereof.

(3) All fees collected under these bye-laws shall be paid to the Council's Treasury and classified to the appropriate head and item of the estimate.

5. Any person who fails to comply with bye-law 3 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £5 or imprisonment for one month by Efon Native Court. Penalties.

SCHEDULE

	<i>£</i>	<i>s</i>	<i>d</i>
1. For a single storey building ... ..	1	10	0
2. For a two storey building ... ..	3	0	0
3. For a building of more than two storey ... ..	5	0	0

MADE by Ekiti Western District Council this 13th day of April, 1957.

The Common Seal of the Council having been affixed in the presence of—

R. A. BABALOLA,  
*Chairman*

D. B. LONGE,  
*Secretary*

B 384

*Signified in accordance with the Ekiti Western District Council Standing Orders, 1956, made on the 23rd day of February, 1956.*

APPROVED by me—

MADE at Ibadan this 9th day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

W.R.L.N. 308 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE IBADAN (PROVISIONAL) DISTRICT COUNCIL  
(VEHICLE LICENSING) (AMENDMENT) BYE-LAWS, 1957

DATE OF COMMENCEMENT : 10TH OCTOBER, 1957

In exercise of the powers conferred upon the Council by section 67 of the Local Government Law, 1957, the following Bye-laws are hereby made by the Ibadan (Provisional) District Council with the approval of the Minister of Justice and Local Government.

1. These Bye-laws may be cited as the Ibadan (Provisional) District Council (Vehicle Licensing) (Amendment) Bye-laws, 1957 and shall apply not only to persons normally subject to the jurisdiction of the Ibadan (Provisional) District Council, but also to all persons whilst within its area.

Short title  
and applica-  
tion.

2. In these bye-laws—

Definition

“Council” means the Ibadan (Provisional) District Council.

3. Paragraph (a) of the Second Schedule to the Ibadan (Provisional) District Council Vehicle Licensing Bye-laws, 1955 is hereby revoked and the following substituted therefor—

SCHEDULE

	<i>£</i>	<i>s</i>	<i>d</i>
Bicycle or tricycle and other pedalled Vehicle ...	...	0	15 0

MADE by the Ibadan (Provisional) District Council this 17th day of August, 1957.

The Seal of the Ibadan (Provisional) District was hereto affixed in the presence of—

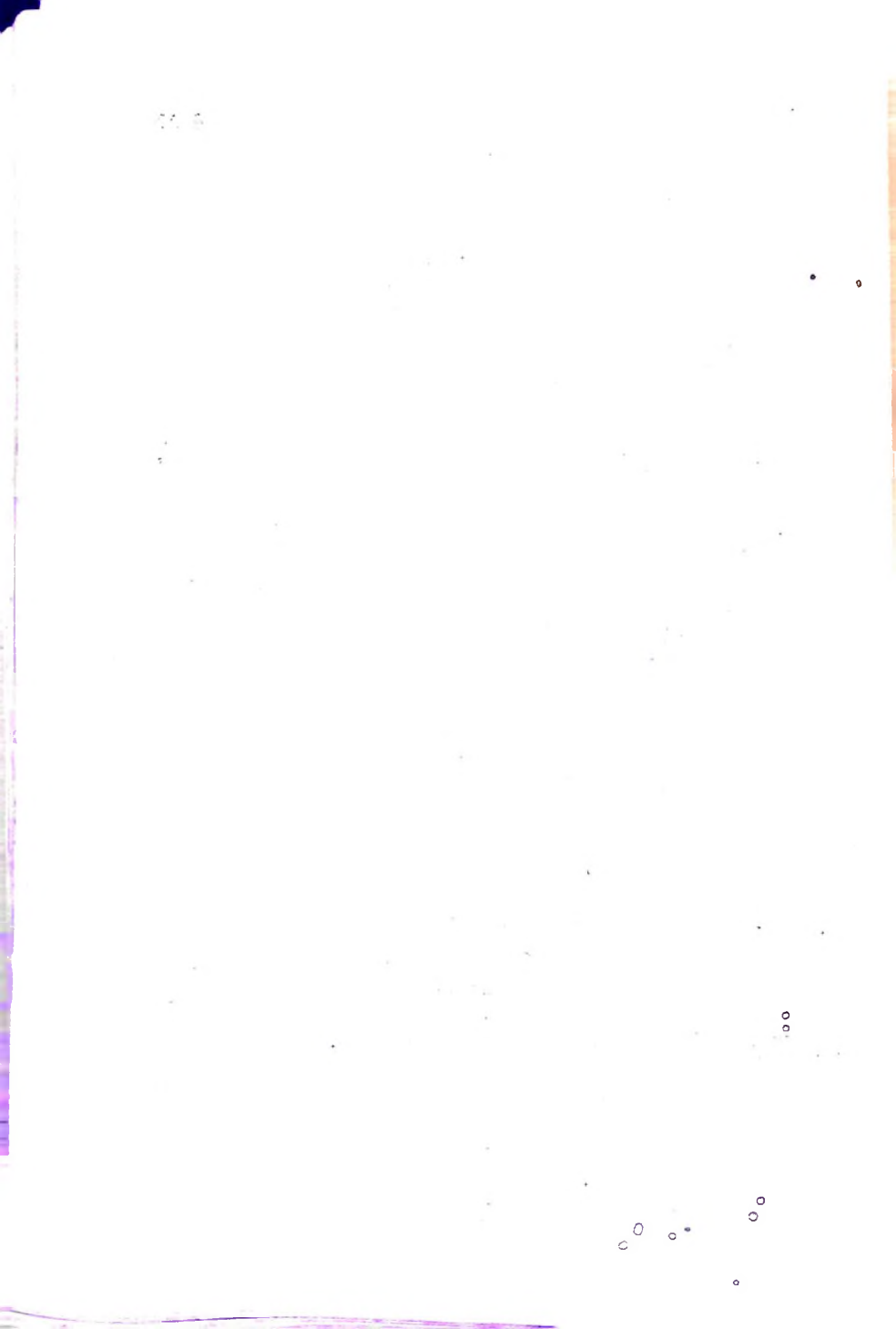
I. B. AKINYELE,  
*Chairman,*  
*Ibadan (Provisional) District Council*

W. S. A. WARREN,  
*Secretary,*  
*Ibadan (Provisional) District Council*

*Signified in accordance with the Ibadan (Provisional) District Council Standing Orders dated the 13th day of March, 1956.*

APPROVED by me at Ibadan this 23rd day of September, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*



## W.R.L.N. 309 of 1957

*Pensions Law, 1954*THE PENSIONS (DECLARATION OF PENSIONABLE OFFICES)  
ORDER, 1957

DATE OF COMMENCEMENT : 17TH OCTOBER, 1957

In exercise of the powers conferred upon the Governor by section 2 (1) of the Pensions Law, 1954, the following Order is hereby made :—

1. This Order may be cited as the Pensions (Declaration of Pensionable Offices) Order, 1957. Short title.
2. The Offices mentioned in the Schedule hereto are hereby declared to be pensionable offices with effect from the dates specified therein. Declaration of pensionable offices.
3. The Pensions (Declaration of Pensionable Offices) Order, 1955 is hereby revoked.

## SCHEDULE

<i>Department</i>	<i>Office</i>	<i>Effective Date</i>
All Ministries and Departments	Principal Assistant Secretary ... ..	1-10-54
	Senior Assistant Secretary ... ..	1-10-54
	Assistant Secretary ... ..	1-10-54
	Senior Executive Officer ... ..	1-10-56
	Higher Executive Officer ... ..	1-10-56
	Executive Officer ... ..	1-4-56
	Secretary Typist ... ..	1-10-54
	Graded Stenographer ... ..	1-10-54
	Confidential Clerk ... ..	1-10-54
	Graded Confidential Secretary ... ..	1-4-57
	Verbatim Reporter ... ..	1-10-54
	Stenographer ... ..	1-4-57
	Graded Clerk ... ..	1-10-54
	Administrative Assistant ... ..	1-10-54
	Clerical Officer ... ..	1-4-56
	Clerical Assistant ... ..	1-10-54
	Governor's Office	Deputy Governor ... ..
Private Secretary ... ..		1-10-54
Aide-de-Camp ... ..		1-10-54
Premier's Office	Secretary to Government ... ..	1-10-54
	Private Secretary ... ..	1-10-54
	Telephone Operator ... ..	1-10-54
	Assistant Inspector of Works ... ..	1-1-55
	Secretary to Premier and Executive Council ... ..	1-4-56
	Secretary to the Premier ... ..	1-4-57
	Senior Telephone Operator ... ..	1-10-54
Executive	Electoral Commissioner ... ..	1-4-57
	Secretary to Regional Executive Council ... ..	1-10-54
	Deputy Secretary to Regional Executive Council ... ..	1-10-54
	Private Secretary to Ministers without Portfolio ... ..	1-10-54
	Secretary to the Executive Council ... ..	1-4-57
Administration	Deputy Secretary to the Executive Council ... ..	1-4-56
	Administrative Officer, Staff Grade ... ..	1-10-54
	Administrative Officer, Class I ... ..	1-10-54
	Administrative Officer, Class II ... ..	1-10-54
	Administrative Officer, Class III or IV ... ..	1-10-54

## SCHEDULE—contd.

Department	Office	Effective Date
Administration—contd.	Administrative Officer, Cadet	1-10-54
	Interpreter, Grade I	1-10-54
	Senior Assistant Secretary (Supernumerary)	1-4-57
London Office	Liaison Officer	1-10-54
	Executive Secretary	1-10-54
	Official Secretary	5-8-55
	Students' Officer	5-8-55
	Trade Officer	5-8-55
	Senior Assistant Students' Officer	1-4-57
	Assistant Students' Officer	5-8-55
	Students' Welfare Officer	1-4-57
	Assistant Students' Welfare Officer	1-4-57
	Assistant Trade Officer	5-8-55
	Recruitment and Staff Officer	1-4-57
	Recruitment Officer	5-8-55
	Information Officer	26-2-57
	Private Secretary	5-8-55
Legislature	First Clerk of the Regional Legislature	1-10-54
	Second Clerk of the Regional Legislature	1-10-54
	Graded Junior Technical Staff	1-10-54
	Hansard Editor	29-1-57
Judicial	Chief Justice	1-10-54
	Puisne Judge	1-10-54
	Chief Registrar	1-10-54
	Senior Magistrate	1-10-54
	Chief Magistrate	1-10-54
	Magistrate	1-10-54
	Graded Registrar	1-10-54
	Librarian	1-10-54
	Senior Registrar	1-4-57
Public Service Commission	Secretary	1-10-54
	Director of Recruitment	1-10-54
	Anti-Corruption Officer	1-10-54
	Assistant Director of Recruitment	30-8-55
Audit	Director of Audit	1-10-54
	Deputy Director of Audit	1-10-54
	Senior Auditor	1-10-54
	Auditor and Assistant Auditor	1-10-54
	Senior Examiner of Accounts	1-4-55
	Assistant District Auditor	1-10-54
	Graded Examiner of Accounts	28-9-55
	Principal Auditor	30-10-56
	Legal Assistant	30-10-56
Ministry of Agriculture and Natural Resources.	Permanent Secretary	1-10-54
	Private Secretary	1-10-54
	Publicity Officer	1-4-56
	Information Officer	1-4-57
Agriculture	Director of Agriculture	1-10-54
	Deputy Director of Agriculture	1-10-54
	Assistant Director of Agriculture	1-10-54
	Assistant Director of Agriculture (Cocoa)	1-10-54
	Principal Agricultural Officer (Investigations)	1-10-54
	Principal Agricultural Officer	1-10-54
	Senior Agricultural Officer	1-10-54
	Senior Specialist	1-10-54
	Agricultural Officer	1-10-54
	Specialist Officer	1-10-54
	Secretary	1-10-54
	Agricultural Superintendent	1-10-54
	Accountant	1-10-54
	Mechanical Demonstrator	1-10-54
Officer-in-charge, Cocoa Survey	1-10-54	

## SCHEDULE—contd.

Department	Office	Effective Date	
Agriculture—contd.	Senior Cocoa Survey Officer	1-10-54	
	Principal Research Officer	1-10-54	
	Graded Assistant Agricultural Officer	1-10-54	
	Senior Agricultural Assistant	1-10-54	
	Graded Agricultural Assistant	1-10-54	
	Craftsman	1-10-54	
	Field Overseer, Grade I or II	1-10-54	
	Stores Assistant	1-10-54	
	Artisan	1-10-54	
	Principal of School	1-10-54	
	Graded Master	1-10-54	
	Principal Agricultural Officer (Cocoa)	1-10-54	
	Cocoa Survey Officer	1-10-54	
	Soil Scientist	1-10-54	
	Soil Scientist (Analyst)	1-10-54	
	Agronomist	1-10-54	
	Graded Assistant Cocoa Survey Officer	1-10-54	
	Senior Cocoa Survey Draughtsman	1-10-54	
	Specialist	1-10-54	
	Agricultural Engineer	1-10-54	
	Irrigation Engineer	1-10-54	
	Workshop Foreman	1-10-54	
	Senior Soil Survey Draughtsman	1-10-54	
	Assistant Commentator	1-4-55	
	Agricultural Librarian	1-4-56	
	Senior Agricultural Superintendent	1-4-57	
	Farm Accounts Officer	1-4-57	
	Workshop Superintendent	1-4-57	
	Assistant Inspector of Works	1-4-57	
	Assistant Agricultural Superintendent	1-4-57	
	Assistant Agricultural Superintendent-in-training...	1-4-57	
	Assistant Agricultural Superintendent (Engineering)	1-4-56	
	Assistant Workshop Superintendent	1-4-57	
	Specialist Assistant	1-4-56	
	Graded Senior Stores Assistant	1-4-56	
	Agricultural Assistant-in-training	1-4-56	
	Cocoa Officer	1-4-57	
	Cocoa Survey and Soil Survey Draughtsman	1-4-56	
	Driver/Projectionist	1-4-56	
	Senior Cocoa Survey and Soil Survey Draughtsman	1-4-56	
	Forestry	Chief Conservator of Forests	1-10-54
		Conservator of Forests	1-10-54
		Senior Assistant Conservator of Forests	1-10-54
		Assistant Conservator of Forests	1-10-54
		Forest Engineer	1-10-54
		Senior Forest Assistant, Grade I or II	1-10-54
		Graded Forest Assistant	1-10-54
Chief Ranger		1-10-54	
Ranger		1-10-54	
Forest Surveyor		1-10-54	
Accountant		1-10-54	
Forest Executive Officer		1-4-57	
Assistant Forest Draughtsman		1-4-56	
Game Warden		1-4-57	
Veterinary		Chief Veterinary Officer	1-10-54
		Senior Veterinary Officer	1-10-54
		Veterinary Officer	1-10-54
	Hides Improvement Officer	1-10-54	
	Assistant Hides Improvement Officer	1-10-54	
	First, Second or Third-class Veterinary Assistant	1-10-54	
	First, Second or Third-class Technical Assistant	1-10-54	
	Hides and Skins Instructor	1-10-54	
	Stores Assistant	1-10-54	
	Craftsman	1-10-54	
	Senior Veterinary Assistant	1-4-55	
Livestock Officer	1-4-56		

## SCHEDULE—contd.

Department	Office	Effective Date	
Produce ... ..	Chief Produce Officer ... ..	1-10-54	
	Deputy Chief Produce Officer ... ..	1-10-54	
	Senior Produce Officer ... ..	1-10-54	
	Produce Officer ... ..	1-10-54	
	Assistant Produce Officer ... ..	1-10-54	
Ministry of Development ... ..	Produce Inspector, Grade I, II or III ... ..	1-10-54	
	Technical Assistant ... ..	1-10-54	
Ministry of Development ... ..	Permanent Secretary ... ..	1-10-54	
	Private Secretary ... ..	1-10-54	
Industries ... ..	Chief Industrial Officer ... ..	1-10-54	
	Senior Industrial Officer ... ..	1-4-55	
	Accountant ... ..	1-10-54	
	Industrial Officer ... ..	1-10-54	
	Assistant Industrial Officer ... ..	1-10-54	
	Boatyard Manager ... ..	1-10-54	
	Wood-Working Officer ... ..	1-10-54	
	Pottery Officer ... ..	1-10-54	
	Graded Accounting Assistant ... ..	1-10-54	
	Fisheries Officer ... ..	1-10-54	
	Assistant Fisheries Officer ... ..	1-10-54	
	Graded Fisheries Assistant ... ..	1-10-54	
	Stores Assistant ... ..	1-10-54	
	Textile Mill Officer ... ..	1-10-54	
	Textile Officer ... ..	1-10-54	
	Graded Textile Assistant ... ..	1-10-54	
	Artisan ... ..	1-10-54	
	Industrial Machinery Superintendent ... ..	1-4-55	
	Draughtsman ... ..	1-4-55	
	Master Fisherman ... ..	1-4-55	
	Assistant Master Fisherman ... ..	1-4-55	
	Fisheries Station Assistant ... ..	1-4-55	
	Typist, Grade I ... ..	1-10-54	
	Designer/Engineer ... ..	1-4-56	
	Industrial Officer (Designs) ... ..	1-4-57	
	Assistant Pottery Officer ... ..	1-4-56	
	Boatyard Overseer ... ..	1-4-57	
	Pond Builder ... ..	1-4-57	
	Inspector, Grade I or II ... ..	1-4-56	
	Assistant Textile Officer ... ..	1-4-56	
	Social Welfare ... ..	Principal Social Welfare Officer ... ..	1-10-54
		Chief Social Welfare Officer ... ..	1-4-55
		Senior Social Welfare Officer ... ..	1-10-54
Social Welfare Officer ... ..		1-10-54	
Graded Assistant Social Welfare Officer ... ..		1-10-54	
Graded Social Worker ... ..		1-10-54	
Supervision Officer ... ..		1-10-54	
Manual Training Instructor ... ..		1-4-55	
Matron and Assistant Matron ... ..		1-4-55	
Teacher, Grade I, II or III ... ..		1-4-55	
Port Welfare Officer ... ..		1-4-55	
Warden ... ..		1-4-56	
Senior Social Worker ... ..		1-4-57	
Senior Teacher ... ..		1-4-56	
Teacher ... ..		1-4-56	
Family Visitor ... ..		1-4-57	
Assistant Supervision Officer ... ..	1-10-54		
Trade ... ..	Senior Trade Officer ... ..	1-4-56	
	Trade Officer ... ..	1-4-56	
Community Development ... ..	Senior Community Development Officer ... ..	30-10-56	
	Community Development Officer ... ..	30-10-56	
	Assistant Inspector of Works ... ..	30-10-56	

## SCHEDULE—contd.

Department	Office	Effective Date
Community Development —contd.	Warden ... ..	30-10-56
	Assistant Community Development Officer ...	30-10-56
	Training Instructor ... ..	30-10-56
	Caterer ... ..	30-10-56
Co-operative Societies ... ..	Registrar of Co-operative Societies ... ..	1-10-54
	Deputy Registrar of Co-operative Societies ...	1-10-54
	Senior Assistant Registrar of Co-operative Societies	1-10-54
	Assistant Registrar of Co-operative Societies ...	1-10-54
	Accountant ... ..	1-10-54
	Senior Inspector ... ..	1-10-54
	Graded Inspector ... ..	1-10-54
	Assistant Registrar (Accounts) ... ..	1-4-56
	Assistant Co-operative Officer ... ..	1-4-56
	Warden, Co-operative School ... ..	1-4-56
Ministry of Education ... ..	Permanent Secretary ... ..	1-10-54
	Private Secretary ... ..	1-10-54
	Publicity Officer ... ..	1-10-54
	Information Officer ... ..	1-4-57
Education ... ..	Director of Education ... ..	1-10-54
	Deputy Director of Education ... ..	1-10-54
	Assistant Director of Education ... ..	1-10-54
	Chief Accountant ... ..	1-10-54
	Senior Education Officer (Science) ... ..	1-10-54
	Education Officer ... ..	1-10-54
	Establishment Officer ... ..	1-10-54
	Statistician ... ..	1-10-54
	Accountant ... ..	1-10-54
	Regional Librarian ... ..	1-4-55
	Librarian, Grade I or II ... ..	1-10-54
	Provincial Education Assistant ... ..	1-10-54
	Chief Inspector of Education ... ..	1-10-54
	Inspector of Education ... ..	1-10-54
	Assistant Inspector of Education ... ..	1-10-54
	Chief Woman Education Officer ... ..	1-10-54
	Senior Education Officer (Domestic Science) ...	1-10-54
	Woman Education Officer ... ..	1-10-54
	Graded Teacher ... ..	1-10-54
	Principal, Rural Education ... ..	1-10-54
	Senior Rural Education Officer ... ..	1-10-54
	Rural Education Officer ... ..	1-10-54
	Graded Assistant Rural Education Officer ...	1-10-54
	Graded Rural Instructor ... ..	1-10-54
	Senior Education Officer (Adult Education) ...	1-10-54
	Adult Education Officer ... ..	1-10-54
	Adult Education Supervisor ... ..	1-10-54
	Graded Adult Education Assistant Supervisor ...	1-10-54
	Senior Education Officer (Examinations) ...	1-4-55
	Senior Education Officer (Literature Distribution)	1-10-54
	Commercial Artist ... ..	1-10-54
	Senior Education Officer (Health and Welfare) ...	1-10-54
	Senior Education Officer ... ..	1-10-54
	Supervising Teacher ... ..	1-10-54
	Graded Provincial Education Assistant ... ..	1-10-54
	Principal, Teacher Training Centre ... ..	1-10-54
	Principal, Secondary School ... ..	1-10-54
	Graded Master ... ..	1-10-54
	Manual Training Instructor ... ..	1-10-54
	Chief Education Officer (Technical) ... ..	1-10-54
Principal, Trade Centre ... ..	1-10-54	
Senior Education Officer (Handicrafts) ... ..	1-10-54	
Senior Education Officer (Technical) ... ..	1-10-54	

## SCHEDULE—contd.

Department	Office	Effective Date	
Education—contd.	Senior Technical Instructor ... ..	1-4-55	
	Technical Instructor ... ..	1-10-54	
	Trade Instructress ... ..	1-10-54	
	Supervision Officer ... ..	1-10-54	
	Stores Assistant ... ..	1-10-54	
	Workshop Assistant ... ..	1-10-54	
	Senior Trade Instructress ... ..	1-10-54	
	Principal, Women's Training College	1-10-54	
	Vice-Principal (Secondary School) ...	1-10-54	
	Bursar ... ..	1-10-54	
	Staff Nurse ... ..	1-10-54	
	Matron ... ..	1-10-54	
	Craftsman ... ..	1-10-54	
	Artisan ... ..	1-4-56	
	Accounting Assistant ... ..	1-4-56	
	Senior Education Assistant ... ..	1-4-56	
	Education Assistant ... ..	3-8-56	
	Illustrator ... ..	1-4-56	
	Assistant Regional Librarian ... ..	1-4-57	
	Library Assistant ... ..	1-4-57	
	Senior Education Officer (Physical Education)	1-4-56	
	Vice-Principal (Teacher Training College) ...	1-4-56	
	Senior Teacher... ..	1-4-57	
	Principal (Emergency Training Course) ...	1-4-57	
	Principal, Technical Institute ... ..	1-4-57	
	Principal, Woman's Occupational Training Centre	1-10-54	
	Organiser of Handicraft Training ... ..	1-4-57	
	Organiser, Handicraft Training Centre ...	1-4-57	
	Lecturer ... ..	1-4-57	
	Graded Assistant Education Officer ... ..	1-4-57	
	Senior Inspecting Assistant (Secondary Modern School) ... ..	1-4-57	
	Senior Inspecting Assistant (Primary) ... ..	1-4-57	
	Inspecting Assistant ... ..	1-4-57	
	Ministry of Finance	Permanent Secretary ... ..	1-10-54
		Private Secretary ... ..	1-10-54
		Adviser on Production and Marketing ...	1-10-54
		Controller of Establishments ... ..	1-10-54
		Deputy Controller of Establishments ...	1-10-54
		Establishment Officer ... ..	1-10-54
		Assistant Establishment Officer ... ..	1-10-54
		Principal, Clerical Training School ... ..	1-10-54
		Education Officer ... ..	1-10-54
		Graded Instructor ... ..	1-10-54
		Warden ... ..	1-10-54
		Accountant-General ... ..	1-10-54
		Deputy Accountant-General ... ..	1-10-54
		Principal Accountant ... ..	1-10-54
		Senior Accountant ... ..	1-10-54
		Accountant ... ..	1-10-54
		Stamp Duties Officer ... ..	1-10-54
		Graded Accounting Assistant ... ..	1-4-56
		Deputy Permanent Secretary... ..	1-4-56
		Finance Officer ... ..	1-4-56
Senior Statistician ... ..		1-4-57	
Statistician ... ..		1-4-57	
Commissioner of Inland Revenue ... ..		1-4-56	
Deputy Commissioner of Inland Revenue...		27-11-56	
Senior Inspector of Taxes ... ..		27-11-56	
Inspector of Taxes ... ..		27-11-56	
Tax Officer ... ..		1-4-57	
Assistant Commissioner of Inland Revenue		1-4-57	
Licensing Officer ... ..		1-4-56	
Director of Planning ... ..		3-8-56	

SCHEDULE—*contd.*

<i>Department</i>	<i>Office</i>	<i>Effective Date</i>
Ministry of Finance— <i>contd.</i> ...	Chief Planning Officer ... ..	1-4-57
	Planning Officer ... ..	1-4-57
	Training and Organisation Officer ... ..	1-4-56
	Training Officer ... ..	21-8-56
	Shorthand Instructor ... ..	18-11-56
	Organisation and Methods Officer ... ..	21-8-56
	Director of Government Lotteries ... ..	1-4-55
	Assistant Lotteries Officer ... ..	1-4-55
Ministry of Home Affairs ...	Permanent Secretary ... ..	1-4-55
	Private Secretary ... ..	1-10-54
	Superintendent-General of Local Government Police ... ..	1-4-56
	Assistant Superintendent of Police ... ..	21-8-56
	Sub-Inspector of Police ... ..	21-8-56
	Sergeant-Major ... ..	21-8-56
	Sergeant ... ..	21-8-56
	Corporal ... ..	21-8-56
	Regional Fire Officer ... ..	1-4-57
	Assistant Fire Officer ... ..	1-4-57
	Station Keeper ... ..	1-4-57
	Administrative Officer, Class I ... ..	15-6-57
	Printing and Stationery ...	Government Printer ... ..
Superintendent of Press ... ..		1-10-54
Senior Assistant Superintendent of Press ... ..		1-10-54
Assistant Superintendent of Press ... ..		1-10-54
Typewriter Engineer... ..		1-10-54
Graded Senior Technical Staff ... ..		1-10-54
Graded Junior Technical Staff ... ..		1-10-54
Graded Assistant Press Mechanic ... ..		1-10-54
Mechanic and Craftsman ... ..		1-10-54
Mechanical Assistant ... ..		1-10-54
Bookbinding Assistant, Grade I or II ... ..		1-10-54
Technical Assistant ... ..		1-10-54
Typewriter-Mechanic ... ..		1-10-54
Graded Senior Stores Assistant ... ..		1-10-54
Stores Assistant ... ..		1-10-54
Press Engineer ... ..		31-5-55
Process Engraver ... ..		1-4-57
Process Engraving Assistant ... ..		1-4-57
Foreman Printer ... ..		3-8-56
Graded Printer ... ..		1-4-56
Electrician ... ..		1-4-56
Printing Assistant ... ..		1-4-56
Information Services ... ..		Director of Information Services ... ..
	Public Relations Officer ... ..	1-10-54
	Assistant Regional Public Relations Officer ... ..	1-10-54
	Photographer and Instructor ... ..	1-10-54
	Publicity Officer ... ..	1-10-54
	Commercial Artist ... ..	1-10-54
	Assistant Publicity Officer ... ..	1-10-54
	Commentator ... ..	1-10-54
	Assistant Commentator ... ..	1-10-54
	Driver/Projectionist ... ..	1-10-54
	Editor ... ..	1-1-55
	Senior Stores Assistant ... ..	1-4-55
	Graded Assistant Photographer ... ..	1-10-54
	Assistant Photographer-in-training ... ..	1-10-54
	Assistant Commercial Artist-in-training ... ..	1-10-54
	Artisan ... ..	1-10-54
	Processor ... ..	1-10-54
Assistant Cinema Technician ... ..	1-10-54	
Mechanician ... ..	1-10-54	
Photographic Retoucher ... ..	1-10-54	

Department	Office	Effective Date
Information Services—contd. ...	Stores Assistant ... ..	1-10-54
	Cinema Officer ... ..	1-4-55
	Process Engraver ... ..	1-4-55
	Accounting Assistant, Grade I ... ..	1-4-55
	Assistant Commercial Artist ... ..	1-4-57
	Principal Information Officer ... ..	1-4-57
	Senior Information Officer (Publicity) ... ..	1-4-57
	Graded Information Officer ... ..	1-4-57
	Assistant Information Officer ... ..	1-4-57
	Cinema Technician ... ..	25-9-56
	Bargemaster ... ..	25-9-56
	Engineer/Projectionist ... ..	1-4-57
	Senior Assistant Commercial Artist ... ..	5-8-55
	Inspector, Grade I or II ... ..	1-4-56
	Photographer ... ..	5-8-55
	Transport Officer ... ..	1-4-56
	Cameraman ... ..	1-4-56
	Scriptwriter/Investigator ... ..	1-4-56
	Typist, Grade I or II ... ..	1-4-55
	Ministry of Justice ... ..	Assistant Commissioner for Law Revision ... ..
Deputy Commissioner for Law Revision ... ..		1-10-54
Legal ... ..	Attorney-General ... ..	1-10-54
	Legal Draftsman ... ..	1-10-54
	Senior Crown Counsel ... ..	1-10-54
	Crown Counsel ... ..	1-4-56
Ministry of Lands and Labour... ..	Principal Legal Draftsman ... ..	1-10-54
	Permanent Secretary ... ..	1-10-54
Land and Town Planning ... ..	Private Secretary ... ..	1-4-57
	Junior Technical Staff ... ..	1-10-54
	Commissioner of Lands ... ..	1-10-54
	Principal Land Officer ... ..	1-10-54
	Principal Town Planning Officer ... ..	1-10-54
	Land Officer ... ..	1-10-54
	Town Planning Officer ... ..	1-10-54
	Assistant Registrar ... ..	1-10-54
	Senior Inspector of Lands ... ..	1-10-54
	Inspector of Lands ... ..	1-10-54
	Graded Sub-Inspector of Lands ... ..	1-10-54
	Junior Plans Records Keeper ... ..	1-4-55
	Senior Technical Staff, Grade II ... ..	1-4-55
	Graded Technical Assistant ... ..	1-4-57
	Deputy Commissioner of Lands ... ..	1-4-56
	Land Research Officer ... ..	1-4-56
	Estate Officer, Grade I or II ... ..	1-4-57
	Estate Officer ... ..	1-4-56
	Estate Officer-in-training ... ..	1-4-56
	Senior Technical Staff, Grade I ... ..	1-4-56
Survey ... ..	Director of Surveys ... ..	1-10-54
	Deputy Director of Surveys ... ..	1-10-54
	Principal Surveyor ... ..	1-4-55
	Senior Surveyor ... ..	1-10-54
	Graded Surveyor ... ..	1-10-54
	Graded Senior Technical Staff ... ..	1-10-54
	Graded Junior Technical Staff ... ..	1-10-54
	Senior Staff Surveyor ... ..	1-4-57
	Staff Surveyor ... ..	1-4-57
	Instrument Mechanic ... ..	1-4-57
	Senior Draughtsman ... ..	1-4-57
	Survey Launch Quartermaster ... ..	1-4-56
	Ministry of Local Government	Permanent Secretary ... ..
Private Secretary ... ..		1-10-54
Deputy Permanent Secretary ... ..		25-9-56

## SCHEDULE—contd.

Department	Office	Effective Date
Ministry of Local Government —contd.	Secretary to the Local Government Service Commission ... ..	3-8-56
	Local Government Inspector ... ..	1-4-57
	Local Government Adviser, Class I ... ..	1-4-57
	Local Government Adviser, Class II ... ..	1-4-57
	Local Government Adviser, Scale A (U) ... ..	1-4-57
	Assistant Local Government Adviser ... ..	1-4-57
	Interpreter, Grade I ... ..	1-4-57
Ministry of Health ... ..	Permanent Secretary ... ..	1-10-54
	Private Secretary ... ..	1-10-54
Medical ... ..	Director of Medical Services ... ..	1-10-54
	Deputy Director of Medical Services ... ..	1-10-54
	Assistant Director of Medical Services ... ..	1-4-55
	Senior Accountant ... ..	1-10-54
	Accountant ... ..	1-10-54
	Establishment Officer ... ..	1-10-54
	Matron (Tutor) ... ..	1-4-55
	Matron ... ..	1-10-54
	Hospital Secretary ... ..	1-10-54
	Senior Pharmacy Superintendent ... ..	1-4-55
	Pharmacy Superintendent ... ..	1-10-54
	Assistant Establishment Officer ... ..	1-10-54
	Graded Accounting Assistant ... ..	1-10-54
	Almoner and Assistant Almoner ... ..	1-10-54
	Senior Pharmacist ... ..	1-10-54
	Senior Stores Examiner ... ..	1-10-54
	Graded Senior Stores Assistant ... ..	1-10-54
	Senior Stores Assistant ... ..	1-10-54
	Stores Assistant ... ..	1-10-54
	Graded Pharmacist ... ..	1-10-54
	Craftsman ... ..	1-10-54
	Senior Specialist ... ..	1-10-54
	Specialist ... ..	1-10-54
	Senior Medical Officer (Administrative) ... ..	1-10-54
	Senior Medical Officer (Clinical) ... ..	1-10-54
	Medical Officer ... ..	1-10-54
	Entomologist ... ..	1-10-54
	Inspector, Grade I or II ... ..	1-4-55
	Radiographer ... ..	1-10-54
	Senior Nursing Sister ... ..	1-10-54
	Sister—Tutor ... ..	1-10-54
	Nursing Sister and Nursing Superintendent ... ..	1-10-54
	Health Sister ... ..	1-10-54
	Assistant Nursing Sister and Assistant Nursing Superintendent ... ..	1-10-54
	Senior Staff Nurse and Midwife ... ..	1-10-54
	Staff Nurse and Midwife ... ..	1-10-54
	Probationer Nurse and Pupil Midwife ... ..	1-10-54
	Assistant Physiotherapist ... ..	1-10-54
	X-Ray Technician ... ..	1-10-54
	Hostel Warden ... ..	1-10-54
	Other Tradesman, Grade I ... ..	1-10-54
	Senior Health Officer ... ..	1-10-54
	Medical Officer of Health ... ..	1-10-54
	Senior Health Superintendent ... ..	1-10-54
	Health Superintendent ... ..	1-10-54
	Senior Sanitary Inspector ... ..	1-10-54
	First, Second or Third-class Sanitary Inspector ... ..	1-10-54
	Health Visitor ... ..	1-10-54
	Senior Health Sister ... ..	1-10-54
	First, Second or Third-class Leper Asylum Attendant ... ..	1-10-54
	Chief Nursing Superintendent (Mental) ... ..	1-10-54

SCHEDULE— <i>contd.</i>			Effective Date
Department		Office	
Medical— <i>contd.</i> ...	...	Senior Nursing Superintendent (Mental) ...	1-10-54
	...	Nursing Superintendent (Mental) ...	1-10-54
	...	Senior Staff Nurse (Mental) ...	1-10-54
	...	Staff Nurse (Mental) ...	1-10-54
	...	Probationer Nurse (Mental) ...	1-10-54
	...	Pathologist ...	1-4-53
	...	Senior Laboratory Superintendent ...	1-10-54
	...	First, Second or Third-class Medical Laboratory Technician ...	1-4-55
	...	Senior Dental Surgeon ...	1-10-54
	...	Dental Surgeon ...	1-10-54
	...	Dental Technician ...	1-10-54
	...	Dental Technician Assistant ...	1-4-55
	...	Senior Leprosy Officer ...	1-10-54
	...	Leprosy Secretary ...	1-10-54
	...	Leprosy Control Officer ...	1-10-54
	...	First, Second or Third-class Technical Assistant ...	1-10-54
	...	Graded Sanitary Inspector ...	1-10-54
	...	Senior Leprosy Inspector ...	1-10-54
	...	Graded Leprosy Inspector ...	1-10-54
	...	First-class Leprosy Assistant ...	1-4-55
	...	Artisan ...	1-10-54
	...	Superintendent, Medical Field Units ...	1-4-55
	...	Field Unit Inspector ...	1-10-54
	...	First-class Field Unit Assistant ...	1-10-54
	...	Male Tutor ...	1-10-54
	...	Occupational Therapist ...	1-10-54
	...	Occupational Instructor ...	1-10-54
	...	Field Overseer, Grade II ...	1-4-55
	...	Tractor Driver ...	1-4-56
	...	Chief Accountant ...	1-4-57
	...	Inspector (Mechanical) ...	1-11-55
	...	Chief Pharmacist ...	1-4-56
	...	Storekeeper ...	1-4-56
	...	Machine Operator ...	1-4-56
	...	Typist ...	1-4-57
	...	Limb Maker ...	1-4-57
	...	Dispensing Assistant ...	1-4-56
	...	Health Propaganda Officer ...	1-4-57
	...	Assistant Health Superintendent ...	1-4-57
	...	Public Health Inspector ...	1-4-56
	...	Male Tutor (Mental) ...	1-4-56
	...	Electro-encephalogram Technician/Radiographer ...	1-4-56
	...	Medical Laboratory Technician ...	1-4-57
	...	Senior Pathologist ...	1-4-57
	...	Laboratory Superintendent ...	1-4-56
	...	Assistant Government Chemist ...	30-10-56
	...	Hospital Secretary (Adeoyo) ...	30-10-56
	...	Physiotherapist ...	30-10-56
	...	Senior Medical Laboratory Technician ...	1-4-56
	...	Senior Nursing Sister (Mental) ...	1-4-56
...	Nursing Sister (Mental) ...	1-4-56	
...	Assistant Nursing Sister (Mental) and Assistant Nursing Superintendent (Mental) ...	1-4-56	
...	Field Unit Assistant ...	1-4-57	
Ministry of Works	...	Permanent Secretary ...	1-10-54
	...	Private Secretary ...	1-10-54
Public Works	...	Director of Public Works ...	1-10-54
	...	Deputy Director of Public Works ...	1-10-54
	...	Chief Engineer (Civil, Mechanical and Water) ...	1-10-54
	...	Senior Executive Engineer ...	1-10-54
	...	Executive Engineer ...	1-10-54
...	Pupil Engineer ...	1-10-54	

SCHEDULE—*contd.*

<i>Department</i>	<i>Office</i>	<i>Effective Date</i>
Public Works— <i>contd.</i>	Graded Mechanical Engineer ... ..	1-10-54
	Electrical Engineer ... ..	1-10-54
	Graded Engineer ... ..	1-10-54
	Chief Architect ... ..	1-10-54
	Senior Architect ... ..	1-10-54
	Architect ... ..	1-10-54
	Water Engineer ... ..	1-10-54
	Assistant Works Manager ... ..	1-10-54
	Yard, Workshop, Waterworks Superintendent ...	1-10-54
	Labour Relations Officer ... ..	1-10-54
	Establishment Officer ... ..	1-10-54
	Chief Inspector ... ..	1-10-54
	Inspector, Grade I or II ... ..	1-10-54
	Graded Senior Engineering Assistant ... ..	1-10-54
	Graded Engineering and Architectural Assistant ...	1-10-54
	Graded Technical Assistant ... ..	1-10-54
	Inspector of Works ... ..	1-10-54
	Senior Assistant Inspector of Works ... ..	1-10-54
	Assistant Inspector of Works ... ..	1-10-54
	Mechanician and Craftsman ... ..	1-10-54
	Artisan, Grade I or II ... ..	1-10-54
	Road Overseer ... ..	1-10-54
	Aerodrome Overseer, Grade I or II ... ..	1-10-54
	Chief Accountant ... ..	1-10-54
	Senior Accountant ... ..	1-10-54
	Accountant ... ..	1-10-54
	Transport Clerk ... ..	1-10-54
	Graded Senior Stores Assistant ... ..	1-10-54
	Stores Assistant ... ..	1-10-54
	Timekeeper, Grade I ... ..	1-10-54
	Assistant Labour Relations Officer ... ..	1-10-54
	Baggage Foreman ... ..	1-10-54
	Assistant Baggage Foreman ... ..	1-10-54
	Driller ... ..	1-10-54
	Senior Storekeeper ... ..	1-4-55
	Storekeeper ... ..	1-4-55
	Inspector (Mechanician) ... ..	1-10-54
	Chief Engineer (Electrical) ... ..	1-4-57
	Senior Quantity Surveyor ... ..	1-4-56
	Training Officer ... ..	1-4-56
	Works Manager (Mechanical) ... ..	31-5-55
	Higher Technical Officer ... ..	1-4-57
	Stock Verifier... ..	1-4-56
	Chargeman ... ..	1-4-57
	Graded Assistant Labour Relations Officer ...	1-10-54

MADE at Ibadan this 16th day of September, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
Secretary to the Executive Council

**W.R.L.N. 310 of 1957**

*The Interpretation Ordinance (Cap. 94)*

**DELEGATION OF FUNCTIONS**

**DATE OF COMMENCEMENT : 21ST SEPTEMBER, 1957**

In exercise of the powers conferred by section 33B of the Interpretation Ordinance, the following Notification is made :—

1. This Notice may be cited as the Delegation of Functions (Minister of Finance) (No. 2) Notice, 1957.

2. The Governor has been pleased to depute the holder of the office mentioned in the second column of the Schedule hereto to exercise all the powers and perform all the duties which are conferred or imposed by any Law or Ordinance upon the Minister mentioned in the first column of the Schedule.

3. The Delegation of Functions (Minister of Finance) Notice, 1957, published as W.R.L.N. 270 of 1957 is hereby revoked.

**SCHEDULE**

*Column 1*

Minister of Finance.

*Column 2*

Minister of Education.

GIVEN at Ibadan this 11th day of October, 1957.

By His Excellency's Command,

A. HOLDEN,  
*Secretary to the Premier*

W.R.L.N. 311 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT ESTABLISHING  
THE EGUN-AWORI DISTRICT COUNCIL

DATE OF COMMENCEMENT : 17TH OCTOBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Egun-Awori District Council is hereby amended as follows :—

W.R.L.N.  
129 of 1955.

In paragraph 4 of the said Instrument *delete* "Chief Akran" and *substitute* therefor "The Akran of Badagry".

MADE by the Governor in Council at Ibadan this 30th day of September, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

**W.R.L.N. 312 of 1957**

**REGULATIONS made under THE LOCAL  
GOVERNMENT LAW, 1957  
(No. 12 of 1957)**

**THE WESTERN REGION (LOCAL GOVERNMENT)  
(AMENDMENT) STAFF REGULATIONS, 1957**

DATE OF COMMENCEMENT : 17TH OCTOBER, 1957

In exercise of the powers conferred upon the Governor in Council by virtue of sections 104 and 275 of the Local Government Law, 1957, the following Regulations are hereby made :—

1. These Regulations may be cited as the Western Region (Local Government) (Amendment) Staff Regulations, 1957 and shall apply to all councils established under the Local Government Law, 1957.
2. The Western Region (Local Government) Staff Regulations, 1955 are hereby amended by adding, after Part J, the following Part—

**PART K.—POWERS OF THE LOCAL GOVERNMENT ADVISER**

1. If it appears to the Local Government Adviser :—
  - (a) that any decision taken by the council affecting the council's staff is not in accordance with the provisions of these Regulations ; or
  - (b) that in imposing any of the punishments prescribed in Regulations E 13, E 15, E 16, or E 24 (vii) the Council has acted unduly harshly or without due regard to the evidence or to the findings of any committee or Board of Inquiry ;

he may, by written order, require the council not to implement its decision until the matter has been referred for the direction of the Minister.

2. Where the Local Government Adviser has issued an order under the provisions of regulation K 1 he may in addition issue such orders to the council's staff as he may consider necessary to give effect to such order and the orders shall be binding on the staff concerned and shall have the same force and effect as if they had been issued by the council.

MADE at Ibadan this 16th day of September, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

Power of  
Local  
Government  
Adviser to  
delay imple-  
mentation of  
council's  
decision  
until refer-  
ence is  
made to  
Minister.

Power of  
Local  
Government  
Adviser to  
issue  
orders to  
council's  
staff.

## W.R.L.N. 313 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 24th OCTOBER, 1957

Notice is hereby given under Regulation 46 of the Forestry Regulations that the Working Plan in the first column of the schedule hereto has been decided upon for the areas in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Southern Ishan Group.	(a) Amahor Forest Reserve ...	(a) Office of the Provincial Forest Officer at Ubiaja.
	(b) Ojogba-Ugun Forest Reserve	
	(c) Urohi-Ojogba Forest Reserve.	(b) Office of the Chief Conservator of Forests at Ibadan.
	(d) Ewohimi Forest Reserve (all in Ishan Division).	

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plan.

GIVEN at Ibadan this 15th day of October, 1957.

P. A. ALLISON,  
Acting Chief Conservator of Forests,  
Western Region

## W.R.L.N. 314 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (ABEOKUTA GENERAL WATER RATE)  
ORDER, 1957

DATE OF COMMENCEMENT : 24TH OCTOBER, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made:—

- Short title. 1. This Order may be cited as the Waterworks (Abeokuta General Water Rate) Order, 1957, and shall apply to the town of Abeokuta.
- Levy of General Water Rate. 2. Subject to paragraph 4 of this order, an annual general water rate is hereby levied on all male and female persons of or over sixteen years of age resident in the town of Abeokuta.
- Schedule. 3. The said rate shall be as set forth in the Schedule hereto.
- Exemptions. 4. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this order—  
 (a) adults of or over sixteen years of age who are not natives of, and who do not reside in or own tenements within, Abeokuta town ;  
 (b) students in full time attendance at any school, college or training centre ;  
 (c) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;  
 (d) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :  
 Provided that no more than four persons shall be exempted in respect of any one tenement.
- Rate to be payable in advance. 5. The general water rate imposed by this order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957.
- Revocation. 6. The Waterworks (Abeokuta Assessment) Order, 1942 and the Waterworks (Abeokuta Assessment) (Amendment) Order, 1952 are hereby cancelled.

## SCHEDULE

	£	s	d
Per adult male ... ..	0	15	0
Per adult female ... ..	0	3	0

MADE at Abeokuta this 25th day of September, 1957 by the Abeokuta Urban District Council's Order.

S. O. ABOABA,  
*Acting Secretary,*  
*Abeokuta Urban District Council*

A. A. SOMEFUS,  
*Chairman,*  
*Abeokuta Urban District Council*

APPROVED by the Minister of Local Government this 15th day of October, 1957.

A. O. ADEYI,  
*Minister of Local Government,*  
*Western Region*

## W.R.L.N. 315 of 1957

*The Local Government Law, 1957*  
 (No. 12 of 1957)

UNIFIED LOCAL GOVERNMENT SERVICE  
 (DECLARATION OF SUPERIOR POSTS) REGULATIONS, 1957

DATE OF COMMENCEMENT : 14TH OCTOBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 95 of the Local Government Law, 1957, the following Regulations are hereby made :—

1. These Regulations may be cited as the Unified Local Government Service (Declaration of Superior Posts) Regulations, 1957. Citation.
2. Each of the following posts is hereby declared to be a superior post in the Unified Local Government Service— Declaration of superior posts.
  - (a) Secretary of a Divisional or District Council ;
  - (b) Treasurer of a Divisional or District Council ;
  - (c) Secretary/Treasurer of a Divisional or District Council ;
  - (d) Local Education Officer of a Local Education Authority established under section 8 of the Education Law, 1954.

MADE by the Governor in Council at Ibadan this 14th day of October, 1957.

S. O. BIOBAKU,  
 Secretary to the Executive Council

**W.R.L.N. 316 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE UROMI-UZEA DISTRICT COUNCIL (LEVYING OF RATE)  
(DEFAULT) ORDER, 1957**

DATE OF COMMENCEMENT : 8TH OCTOBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 89 (1) (a) of the Local Government Law, 1957, the following Order is hereby made :—

- Short title. 1. This Order may be cited as the Uromi-Uzea District Council (Levying of Rate) (Default) Order, 1957.
- Definition. 2. In this Order, "the Council" means the Uromi-Uzea District Council.
- Council declared to be in default. 3. The Council is hereby declared to be in default in the performance of the functions (relating to the making and levying of general rates) conferred and imposed upon it by section 129 of the Local Government Law, 1957.
- Directions to enforce performance of functions. 4. The Council is hereby directed to perform the functions referred to in paragraph 3 by levying a general rate of eight pence in the pound before the 31st day of October, 1957.

MADE by the Governor in Council at Ibadan, this 8th day of October, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

**W.R.L.N. 317 of 1957**

*The Interpretation Ordinance (Cap. 94)*

DELEGATION OF FUNCTIONS

DATE OF COMMENCEMENT : 19TH OCTOBER, 1957

In exercise of the powers conferred by section 33B of the Interpretation Ordinance the delegation of the functions of the Minister of Finance to the Minister of Education, notified by the Delegation of Functions (Minister of Finance) (No. 2) Notice, 1957, has been revoked.

A. HOLDEN,  
*Secretary to the Premier*

**W.R.L.N. 318 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE COLLECTION OF RATES (DEFAULT) ORDER, 1957

DATE OF COMMENCEMENT : 31ST OCTOBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 89 (1) (a) of the Local Government Law, 1957, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Collection of Rates (Default) Order, 1957.

Councils declared to be in default.

2. The councils listed in the Schedule to this Order are hereby declared to be in default in the performance of the function of collecting and enforcing the payment of rates conferred and imposed upon them by the Local Government Law, 1957, hereinafter referred to as "the Law".

Directions to enforce performance of functions.

3. (1) The councils listed in the Schedule to this Order are hereby directed to perform the functions referred to in paragraph 2 by taking such action as will ensure that they will collect before the 30th day of November, 1957, not less than half of the total estimated revenue to be derived from rates during the financial year 1957-58 ; and such action shall include the prosecution under section 251 of the Law, of not less than six persons in each ward of the council who have refused to pay the rates payable by them under the Law on or before the date on which it is payable or the prosecution of all such persons if the number in any ward is less than six.

(2) The expression "estimated revenue" in sub-paragraph (1) of this paragraph means the estimated revenue from rates, shown in the estimates as approved under section 120 of the Law of the council concerned.

SCHEDULE

- The Uromi-Uzea District Council
- The Ika District Council
- The Isoko District Council
- The Western Urhobo District Council
- The Central Urhobo District Council
- The Ikale-Idapomaru District Council
- The Ifelodun District Council
- The Oyo Southern District Council
- The Ijesha Divisional Council
- The Ukwuani District Council
- The Ivbiosakon District Council
- The Etsako District Council.

MADE by the Governor in Council at Ibadan this 21st day of October, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

**W.R.L.N. 319 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 7TH NOVEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, Western Region Legal Notice 181 of 1957 is hereby amended as follows :—

*Delete* "C. A. Araoye" and *insert* "C. O. Araoye".

A. BOWER,  
Electoral Commissioner,  
Western Region

MADE at Ibadan this 28th day of October, 1957.

**W.R.L.N. 320 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 1ST NOVEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Urhobo East	... The Secretary, Isoko District Council.	Isoko District Council Area.

2. The appointment of Mr L. A. Ogero as Registration Officer, Urhobo East, notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

J. F. HAYLEY,  
Electoral Commissioner,  
Western Region

Ibadan, 1st November, 1957.

## W.R.L.N. 321 of 1957

*The Moneylenders Ordinance*  
(Cap. 136)

## THE MONEYLENDERS (AMENDMENT) REGULATIONS, 1957

DATE OF COMMENCEMENT : 7TH NOVEMBER, 1957

In exercise of the powers conferred on the Governor in Council by section 31 of the Moneylenders Ordinance, the following Regulations are hereby made :—

Short title.

1. These Regulations may be cited as the Moneylenders (Amendment) Regulations, 1957.

Amendments  
to Money-  
lenders  
Regulations.  
Laws of  
Nigeria  
(1948) Vol.  
VIII, e  
page 663.

2. The provisions of the Moneylenders Regulations mentioned in the First Column of the Schedule to these Regulations shall be amended as specified in the Second Column of the Schedule.

## SCHEDULE

<i>First Column</i>	<i>Second Column</i>
<i>Provisions of Moneylenders Regulations</i>	<i>Amendments</i>
Regulation 5 ...	<i>Delete</i> the words "or any administrative officer in charge of a division".
Regulation 8 ...	<i>Delete</i> the words "and administrative officer".
Schedule Form C	(a) <i>Delete</i> the words "Administrative Officer in charge of the ..... Division".  (b) <i>Delete</i> the word and symbols "Fee : £1", and <i>insert</i> instead "Fee : £5".

MADE by the Governor in Council at Ibadan this 4th day of October, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Executive Council*

**W.R.L.N. 322 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)THE REGISTRATION OF MARRIAGES  
ADOPTIVE BYE-LAWS ORDER, 1957  
IRRUA-EWU DISTRICT COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irrua-Ewu District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Irrua-Ewu District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 14th day of September, 1957, that the Registration of Marriages Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
4 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 323 of 1957***The Local Government Law, 1957*  
(No. 12 of 1957)THE REGISTRATION OF MARRIAGES ADOPTIVE  
BYE-LAWS ORDER, 1957  
IDDO-OSI DISTRICT COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Iddo-Osi District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Iddo-Osi District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 3rd day of August, 1957, that the Registration of Marriages Adoptive Bye-laws Order, 1957, be adopted.

W.R.L.N.  
4 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 324 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF DRUMMING ADOPTIVE BYE-LAWS  
ORDER, 1957 : IPARA LOCAL COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ipara Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ipara Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 13th day of August, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 325 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF SHEEP AND GOATS ADOPTIVE  
BYE-LAWS ORDER, 1957  
ODE LEMO LOCAL COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ode Lemo Local Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ode Lemo Local Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 29th day of April, 1957, that the Control of Sheep and Goats Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
14 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 326 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

◦ THE CONTROL OF DRUMMING ADOPTIVE  
BYE-LAWS ORDER, 1957  
EGBEDORE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbedore District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbedore District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Control of Drumming Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
13 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 327 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF PIGS ADOPTIVE BYE-LAWS  
ORDER, 1957 : IPOKIA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbedore District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbedore District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Control of Pigs Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
12 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

B 412

**W.R.L.N. 328 of 1957**

*The Local Government Law, 1957*

*(No. 12 of 1957)*

**THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957  
EGBEDORE DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbedore District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbedore District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Markets Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
10 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

**W.R.L.N. 329 of 1957**

*The Local Government Law, 1957*

*(No. 12 of 1957)*

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1957  
EGBEDORE DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbedore District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbedore District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Vehicle Licensing Adoptive Bye-laws Order, 1956, be adopted.

W.R.L.N.  
11 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 26th October, 1957.

## W.R.L.N. 330 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT APPOINTING A JOINT BOARD FOR THE  
PURPOSE OF THE ADMINISTRATION OF THE  
OSHOGBO-EDE WATER UNDERTAKING

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

In exercise of the powers conferred upon them by section 56 of the Local Government Law, 1957, the following Instrument is made by the Oshogbo District Council and the Ede District Council :—

1. The Instrument may be cited as the Oshogbo-Ede Joint Water Board Short title. Instrument, 1957.
2. In this Instrument—  
“contributing councils” means the councils by which this Instrument is made ;  
“the joint board” means the board established by paragraph 3 of this Instrument.
3. The contributing councils hereby appoint a joint board for the purpose of the joint operation of the Oshogbo-Ede water undertaking. Establishment of joint board.
4. (1) The joint board shall consist of four members to be appointed by the Oshogbo District Council, three members to be appointed by the Ede District Council and the following *ex-officio* members :—  
  - (a) the President of the Oshogbo District Council ;
  - (b) the President of the Ede District Council ;
  - (c) the Water Authority or his representative ; and
  - (d) the Director of Public Works or his representative.Membership of joint board and method of appointment.
- (2) Each member of the joint board to be appointed by a contributing council shall be selected for appointment by the contributing council by ballot.
- (3) A contributing council may appoint any person of full age to be a member of the joint board whether or not that person is a member of any contributing council.
5. (1) Each member of the joint board shall hold office for three years when he shall retire without prejudice to his reappointment under the provisions of this Instrument. Tenure of office.
- (2) The seat of a member of the joint board shall become vacant—  
  - (a) at the expiration of his term as provided by the preceding paragraph ; or
  - (b) upon his death ; or
  - (c) if he resigns by notice in writing addressed to the chairman ; or
  - (d) upon the dissolution of the contributing council he represents ; or
  - (e) if he is absent from four consecutive meetings of the joint board ; or
  - (f) where he is a member of the contributing council he represents, if he ceases to be a member of that contributing council.

Appointment  
of  
chairman.

6. (1) When the joint board first meets and thereafter whenever the office of the chairman becomes vacant, the members of the joint board shall elect a chairman from amongst their number.

(2) The office of chairman shall become vacant—

(a) at the commencement of the first meeting of the board occurring more than twelve months after his election ; or

(b) if he ceases to be a member of the joint board ; or

(c) if he dies ; or

(d) if he resigns by writing under his hand addressed to the secretary of the joint board.

Transfer of  
staff and  
property.

7. There shall be transferred to and vest in the joint board, with effect from the commencement of this Instrument—

(a) all such employees of the contributing councils who are engaged directly in the operation of the water undertaking ;

(b) all rights and liabilities of the contributing councils in connection with the water undertaking ;

(c) all property held by the contributing councils for the purpose of the water undertaking.

Delegation  
of functions.

8. There shall be delegated to the joint board with effect from the commencement of this Instrument, all the functions and powers of the contributing councils relating to the operation of the water undertaking, and such functions shall include specifically the following :—

(a) control of the finances of the water undertaking ;

(b) control of arrangements for extensions to be made to the water supply and the power to put such arrangements into effect, subject to the advice of the Water Authority.

Signed, sealed and delivered on behalf of Oshogbo District Council,

ADENLE I,  
*President*

S. AYO. OYANIYUN,  
*Chairman*

Signed, sealed and delivered on behalf of Ede District Council,

LAOYE I,  
*President*

I. ABIOLA ADEJARE,  
*Chairman*

In the presence of :—

E. A. ADEJUMO,  
*Secretary,*  
*Oshogbo District Council*

L. O. OMOTESHO,  
*Secretary/Treasurer,*  
*Ede District Council*

APPROVED this 19th day of October, 1957.

F. R. A. WILLIAMS,  
*Minister of Justice and Local Government*

## W.R.L.N. 331 of 1957

*The Waterworks Ordinance (Cap. 227)*THE WATERWORKS (ETSAKO DISTRICT GENERAL  
WATER RATE) ORDER, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Waterworks (Etsako District General Water Rate) Order, 1957, and shall apply to the Auchi, Uzairue and South Ibie clan areas of the Etsako District rating authority area. Short title.

2. Subject to paragraph 3 of this order, an annual general water rate of forty-eight shillings is hereby levied on all male persons of or over sixteen years of age resident within a distance of one mile from any public stand pipe in the Auchi, Uzairue or South Ibie clan areas. Levy of general water rate.

3. The following persons or classes of persons shall be exempted from the general water rate imposed by paragraph 2 of this order :— Exemption.

(a) non-salaried students in full time attendance at any school, college or training centre ;

(b) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;

(c) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :

Provided that not more than eight persons shall be exempted in respect of any one tenement.

4. The general water rate imposed by this order shall be payable by quarterly instalments of twelve shillings each on or before the first day of June, September, December and March respectively in any financial year. Payment of rate.

Provided that for the year 1957-58 the general water rate shall be payable in two instalments of twenty-four shillings each on or before the first day of October, 1957 and March 1958 respectively.

MADE at Auchi this 13th day of September, 1957 by the Etsako District Council's Order.

Chief A. K. MOMOH,  
*Chairman,*  
*Etsako District Council*

F. A. Z. SHIELU,  
*Acting Secretary,*  
*Etsako District Council*

APPROVED by the Minister of Local Government this 15th day of October, 1957.

A. O. ADEYI,  
*Minister of Local Government*

B 416

W.R.L.N. 332 of 1957

*The Public Order Law, 1957*  
(No. 24 of 1957)

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

In exercise of the powers conferred by section 1 of the Public Order Law, 1957, the Governor has been pleased to appoint the 14th day of November, 1957, as the day on which the Public Order Law, 1957, shall come into operation.

A. HOLDEN,  
*Secretary to the Premier*

c  
c

## W.R.L.N. 333 of 1957

*ORDER made under THE FORESTRY ORDINANCE*  
(Cap. 75)

OSHOGBO DISTRICT COUNCIL (OSHUN RIVER PLANTATION)  
FOREST RESERVE ORDER, 1956

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

WHEREAS the necessary steps have been taken in accordance with the provisions of section 23 of the Forestry Ordinance.

NOW THEREFORE in exercise of the powers conferred upon Local Government Councils by section 22 of the said Ordinance, it is hereby ordered by the Oshogbo District Council, with the approval of the Minister of Agriculture and Natural Resources, to whom has been delegated the power of approval as follows :—

1. This Order may be cited as the Oshogbo District Council (Oshun River Plantation) Forest Reserve Order, 1956.
2. All that piece of land the situation and limits of which are set forth in the Schedule hereto shall constitute a Local Government Council Forest Reserve within the meaning of the Ordinance, which reserve shall be known as the Oshogbo District Council (Oshun River Plantation) Forest Reserve.

SCHEDULE

All that piece of land containing nought decimal two six square mile or thereabouts situated in Oshogbo District of Oshun Division of Ibadan Province and bounded as follows :—

Starting from a point the approximate co-ordinates of which are  $7^{\circ}46'N$  and  $4^{\circ}33'E$ . (Nigeria Survey Map 1/500,000, Sheet 9 of 1953) situated on the left bank of the Akwuo stream on a bearing of 264 degrees and at a distance of 200 feet from the point where the 1956 Oshogbo bye-pass road crosses the Akwuo stream and marked by Beacon No. O.N.A. 1, by a straight line cut on a bearing of 183 degrees 30 minutes for a distance of 640 feet to Beacon No. O.N.A. 2, situated on the right hand side of the 1956 plantation service road from Oshogbo Town to the Oshun River ; thence continuing by a straight line cut on a bearing of 183 degrees 30 minutes for a distance of 23 feet to Beacon No. O.N.A. 3 situated, on the left hand side of the 1956 plantation service road from Oshogbo Town to the Oshun River ; thence continuing by a straight line cut on a bearing of 183 degrees 30 minutes for a distance of 207 feet to Beacon No. O.N.A. 4 ; thence by a straight line cut on a bearing of 80 degrees 30 minutes for a distance of 140 feet to Beacon No. O.N.A. 5 ; thence by a straight line cut on a bearing of 170 degrees 30 minutes for a distance of 1,306 feet through Beacon Nos. O.N.A. 6 and O.N.A. 7 to Beacon No. O.N.A. 8 situated on the right hand side of the 1956 power line way-leave from Oshogbo Town to Ife ; thence by a straight line cut on a bearing of 140 degrees 30 minutes for a distance of 644 feet to Beacon No. O.N.A. 9 situated on the right hand side of the 1956 power line way-leave from Oshogbo Town to Ife ; thence by a straight line cut on a bearing 114 degrees for a distance of 376 feet to Beacon No. O.N.A. 10 situated at the point where the right hand side of the 1956 power line

way-leave from Oshogbo Town to Ife crosses the right hand side of the 1956 motor road from Oshogbo Town to the Oshun River suspension bridge ; thence by the right hand side of the 1956 motor road from Oshogbo Town to the Oshun River suspension bridge on a bearing of 221 degrees 30 minutes for a distance of 568 feet to Beacon No. O.N.A. 11 ; thence by a straight line cut on a bearing of 233 degrees for a distance of 594 feet to Beacon No. O.N.A. 12 ; thence by a straight line cut on a bearing of 229 degrees for a distance of 964 feet to Beacon No. O.N.A. 13 situated on the right bank of the Oshun River ; thence by the right bank of the Oshun River downstream in a general north-westerly direction for a distance of 4,680 feet to Beacon No. O.N.A. 14 situated at the point where the left bank of the Akwuo stream joins the right bank of the Oshun River ; thence by the left bank of the Akwuo stream upstream in a general easterly direction for a distance of 2,200 feet to the starting point.

All bearings are referred to True North and are adjusted from Magnetic bearings observed during the month of January 1956.

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal.

All beacons are numbered cement pillars.

MADE this 22nd day of June, 1957.

ADENLE I,  
*Oshogbo District Council*

Witness to marks :—

Y. S. OYEKANMI,  
*Council Clerk*

*Signified in accordance with the Local Government Council Standing Rules, 1954, dated the 7th day of September, 1954.*

APPROVED this 7th day of November, 1957.

G. AKIN. DEKO,  
*Minister of Agriculture and  
Natural Resources*

## W.R.L.N. 334 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given under Regulation 46 of the Forestry Regulations that the Working Plan in the first column of the schedule hereto has been decided upon for the area in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Olokemeji Plantations Demonstration circle.	Part of Olokemeji Forest Reserve (Egba Division).	(a) Office of the C.C. of F., Ibadan. (b) Office of the P.F.O., Abeokuta.

*Note.*—Detailed descriptions of the area set out in the second column of the schedule are given in the Working Plan.

GIVEN at Ibadan this 30th day of October, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests*  
*Western Region*

B 420

W.R.L.N. 335 of 1957

*The Forestry Ordinance (Cap. 75)*

NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given under Regulation 46 of the Forestry Regulations that the Working Plan in the first column of the schedule hereto has been decided upon for the area in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Establishment Plan for the Egoro Native Authority Forest Reserve.	Egoro Clan Native Authority Forest Reserve (Ishan Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Ubiaja.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plan.

GIVEN at Ibadan this 30th day of October, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,  
Western Region*

W.R.L.N. 336 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given under Rule 40A of the Forestry (Southern Provinces Native Authorities) Rules, 1943, as made by the former Benin Native Authority that the Working Plan in the first column in the schedule hereto has been decided upon for the areas in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Benin Division New-comer's Allocation.	(a) Part of Ehor Forest Reserve. (b) Part of Ohosu Forest Reserve.	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Forest Officer, Benin.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plan.

GIVEN at Benin this 8th day of October, 1957.

J. N. ROBERTSON,  
*Secretary, Benin Divisional Council*

V. I. AMADASU,  
*Chairman, Benin Divisional Council*

APPROVED this 18th day of October, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests*

## W.R.L.N. 337 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given under Rule 40A of the Forestry (Southern Provinces Native Authorities) Rules, 1943, as made by the former Benin Native Authority, that the Working Plan in the first column in the schedule hereto has been decided upon for the area in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of working Plan</i>	<i>Description of Area</i>	<i>Available for inspection</i>
Kennedy—Ona Plantation.	Part of Sapoba Forest Reserve, (Benin Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Forest Officer, Benin.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plan.

GIVEN at Benin City, this 12th day of October, 1957.

J. N. ROBERTSON,  
*Secretary,*  
*Benin Divisional Council*

V. I. AMADASU,  
*Chairman,*  
*Benin Divisional Council*

APPROVED this 7th day of November, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,*  
*Western Region*

W.R.L.N. 338 of 1957

*The Statutory Powers and Duties of Administrative Officers  
(Transfer) Law, 1956 (No. 4 of 1957)*

THE TRANSFER OF ADMINISTRATIVE OFFICERS' POWERS  
(PEACE PRESERVATION) ORDER, 1957

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 2 of the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956, the following Order is hereby made :—

1. This Order may be cited as the Transfer of Administrative Officers' Powers (Peace Preservation) Order, 1957.
2. The powers of Provincial Advisers exercised under section 4 of the Peace Preservation Ordinance are hereby transferred to Divisional Advisers.

MADE in Council this 4th day of November, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

W.R.L.N. 339 of 1957

*The Statutory Powers and Duties of Administrative Officers  
(Transfer) Law, 1956 (No. 4 of 1957)*

THE APPROVAL OF BYE-LAWS (DOGS ORDINANCE),  
ORDER, 1957

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

In exercise of the powers conferred on the Governor in Council by section 2 of the Statutory Powers and Duties of Administrative Officers (Transfer) Law, 1956, the following Order is hereby made :—

Short title. 1. This Order may be cited as the Approval of Bye-laws (Dogs Ordinance) Order, 1957.

Transfer of power of approval of bye-laws under Cap. 56. 2. The power of approval of bye-laws made under and in accordance with section 15 of the Dogs Ordinance formerly exercisable by Provincial Advisers is hereby transferred to the Regional Minister charged with responsibility for health matters in accordance with the provisions of the Nigeria (Constitution) Order in Council, 1954.

Amendments to Cap. 56 consequential on the transfer of power effected by paragraph 2. 3. In consequence of the transfer of power effected by paragraph 2, section 15 of the Dogs Ordinance is hereby amended in the following respects—

(a) by *deleting* the words "Provincial Advisers concerned" and *inserting* instead the word "Minister" ;

(b) by renumbering the section thus "15. (1)" ;

(c) by *adding* the following sub-section—

"(2) In sub-section (1) of this section, "Minister" means the Regional Minister charged with responsibility for health matters in accordance with the provisions of the Nigeria (Constitution) Order in Council, 1954".

MADE by the Governor in Council at Ibadan this 28th day of October, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

W.R.L.N. 340 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

INSTRUMENT AMENDING THE INSTRUMENT  
ESTABLISHING THE ODO-OTIN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

In exercise of the powers conferred upon the Governor in Council by section 7 (1) of the Local Government Law, 1957, the Instrument establishing the Odo-Otin District Council is hereby amended as follows :—

W.R.P.N.  
150 of 1953.

(i) In paragraph 7 of the said Instrument *delete* "The Bale of Inisha" and *substitute* "The Olunisha of Inisha".

(ii) In paragraph 9 of the said Instrument *delete* "10 Bale Inisha" and *substitute* "10 Olunisha".

MADE by the Governor in Council at Ibadan this 28th day of October, 1957.

S. O. BIOBAKU,  
*Secretary to the Executive Council*

W.R.L.N. 341 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irepo District Council by section 82 (2) and 271 of the Local Government Law, 1957, the Irepo District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 14th day of October, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956 and the Vehicle Licensing Adoptive (Amendment) Bye-laws, 1957, be adopted.

W.R.L.N.  
11 of 1956.  
W.R.L.N.  
276 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 14th November, 1957.

**W.R.L.N. 342 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikorodu Divisional Council by section 82 (2) and 271 of the Local Government Law, 1957, the Ikorodu Divisional Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of August, 1957, that the Registration of Marriages Adoptive Bye-laws, 1957, with the amount of fee in paragraph (i) (b) of bye-law 3 reading 5s instead of 2s 6d, be adopted.

W.R.L.N. 4  
of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 15th November, 1957.

**W.R.L.N. 343 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irepo District Council by section 82 (2) and 271 of the Local Government Law, 1957, the Irepo District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 14th day of October, 1957, that the Registration of Marriages Adoptive Bye-laws, 1957, be adopted.

W.R.L.N. 4  
of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 15th November, 1957.

**W.R.L.N. 344 of 1957**

*ORDER made under SECTION 89 of THE  
LOCAL GOVERNMENT LAW, 1957  
(No. 12 of 1957)*

ILA DISTRICT COUNCIL

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

WHEREAS the Governor in Council is satisfied that the Ila District Council has made default in the performance of functions conferred or imposed on it by or under the Local Government Law, 1957, to wit improperly dismissing and improperly refusing to reinstate staff.

NOW THEREFORE in pursuance of the powers conferred by section 89 (1) of the said Law, it is hereby ordered and declared that the said Council is in default and that all powers of the said Council to appoint, promote, discipline and dismiss staff shall be transferred to a Committee consisting of the following :—

1. Mr N. A. ADEDAYO—(Chairman)
2. Mr G. A. O. ADEKUNLE
3. Mr JIMOH AWOJIDE.

MADE at Ibadan this 4th day of November, 1957.

S. O. BIOBAKU,  
Secretary to the Executive Council

**W.R.L.N. 345 of 1957**

*The Diseases of Animals Ordinance (Cap. 55)*

THE DISEASES OF ANIMALS (AMENDMENT) REGULATIONS, 1957

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

In exercise of the powers conferred on the Governor in Council by section 3 of the Diseases of Animals Ordinance the following Regulations are hereby made :—

1. These Regulations may be cited as the Diseases of Animals (Amendment) Regulations, 1957.

2. Regulation 13 of the Diseases of Animals Regulations is hereby amended by the deletion of the word "European" from the proviso thereto.

MADE by the Governor in Council at Ibadan this 4th day of November, 1957.

S. O. BIOBAKU,  
Secretary to the Executive Council



W.R.L.N. 346 of 1957

*ORDER made under THE NIGERIA TOWN AND  
COUNTRY PLANNING ORDINANCE  
(Cap. 155)*

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

In exercise of the powers conferred by section 64A of the Nigeria Town and Country Planning Ordinance the following Order is hereby made :—

This Order may be cited as the Ikeja Area Planning Authority (Payment of Short title. Fees) Order, 1957. The following fees shall be payable :—

(i) On individual building plans 2s 6d per 1,000 cubic feet of volume of the building calculated on its outside dimensions.

(ii) On layout or allotment plans 1s per 500 square feet on land allotted as building plots.

(iii) On each application for alterations and extensions 2s 6d ; no fees shall be charged on minor repairs.

Recognised schools and churches, Government and Local Government buildings shall be exempted from payment of fees.

As passed by the Authority at its meeting of the 4th April, 1956 and approved by the honourable the Minister of Lands and Labour on the 30th November, 1956.

MADE at Ikeja this 8th day of November, 1957.

K. M. HALL,  
Chairman,  
Ikeja Area Planning Authority

K. D. OSHODI,  
Secretary,  
Ikeja Area Planning Authority

**W.R.L.N. 347 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
UKWUANI DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ukwuani District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ukwuani District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 27th day of September, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
15 of 1956.

D. A. MURPHY,  
*Permanent Secretary,  
Ministry of Local Government*

Ibadan, 14th November, 1957.

**W.R.L.N. 348 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
EKITI WESTERN DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekiti Western District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ekiti Western District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 13th day of April, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
15 of 1956.

D. A. MURPHY,  
*Permanent Secretary,  
Ministry of Local Government*

Ibadan, 14th November, 1957.

W.R.L.N. 349 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
EGBEDORE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbedore District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbedore District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
15 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 14th November, 1957.

W.R.L.N. 350 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : EKAMARUN DISTRICT COUNCIL

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekamarun District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ekamarun District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957, be adopted.

W.R.L.N.  
55 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 14th November, 1957.

**W.R.L.N. 351 of 1957**

*The Local Government Law, 1957  
(No. 12 of 1957)*

**THE CONTROL OF MOTOR PARKS ADOPTIVE BYE-LAWS  
ORDER, 1957 : UHUNMWONDE DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Uhummwonde District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Uhummwonde District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 1st day of October, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957, be adopted.

W.R.L.N.  
55 of 1957.

D. A. MURPHY,  
*Permanent Secretary,  
Ministry of Local Government*

Ibadan, 14th November, 1957.

**W.R.L.N. 352 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

**APPOINTMENT OF REGISTRATION OFFICER**

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Aboh East ...	The Secretary, Ndosimili District Council.	Whole Constituency.

2. The appointment of Mr J. O. Umior as Registration Officer, Ndosimili District Council notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,  
Western Region*

Ibadan, 22nd November, 1957.

## W.R.L.N. 353 of 1957

*Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Aboh East	... The Secretary, Ndosimili District Council.	Whole Constituency.

2. The appointment of Mr J. O. Umior as Electoral Officer, Ndosimili District Council notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 22nd November, 1957.

## W.R.L.N. 354 of 1957

*Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ASSISTANT ELECTORAL OFFICER

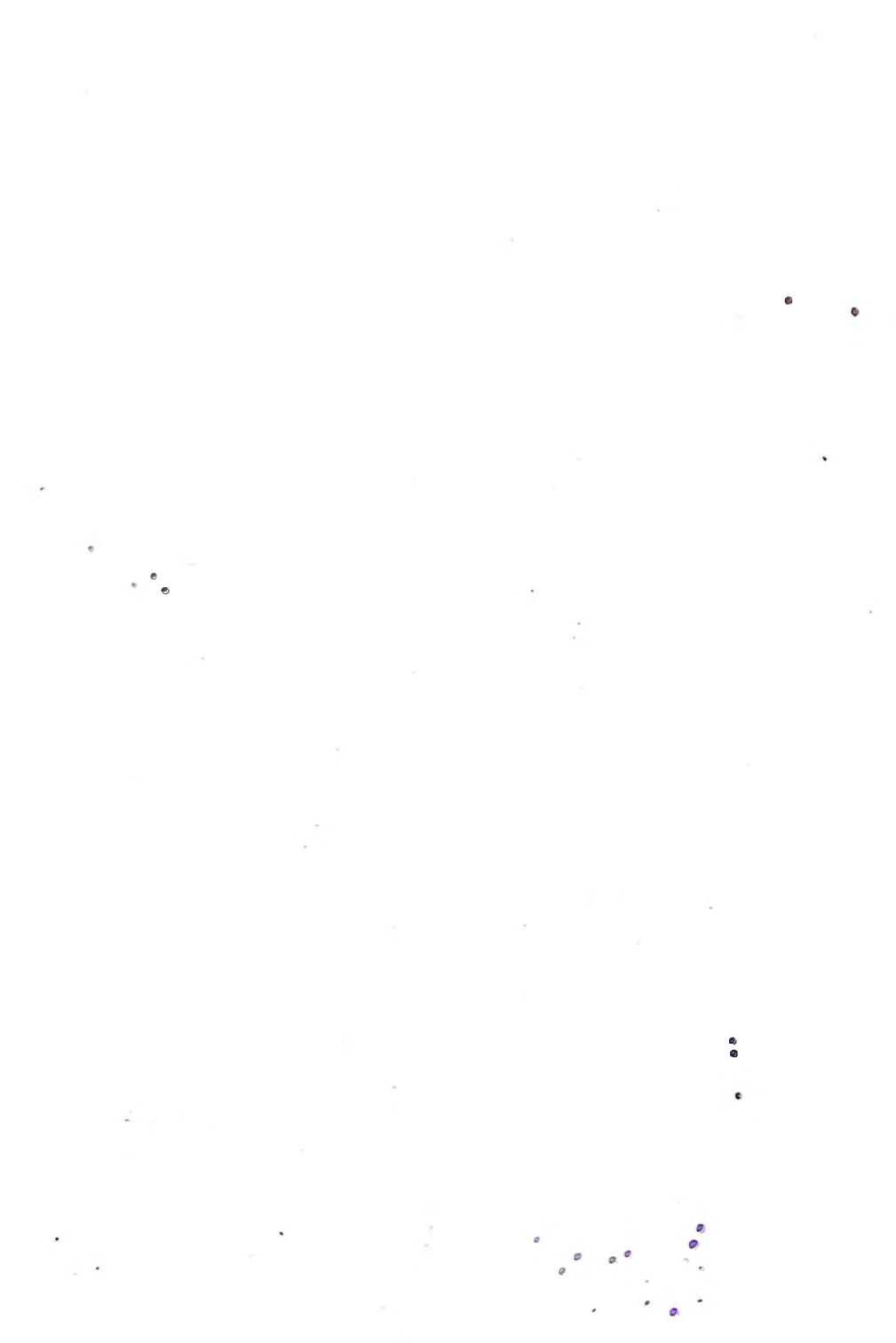
DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, Western Region Legal Notice 181 of 1957 hereby amended as follows :—

o *Delete* "Secretary, Ndosimili District Council" as Assistant Electoral Officer, Ndosimili District Council Area, notified in Western Region Legal Notice 218 of 1956.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

MADE at Ibadan this 22nd day of November, 1957.



## W.R.L.N. 355 of 1957

*The Public Order Law, 1957*  
(No. 24 of 1957)THE PUBLIC MEETINGS AND PUBLIC PROCESSIONS  
(NOTIFICATION) ORDER, 1957

DATE OF COMMENCEMENT : 28TH NOVEMBER, 1957

In exercise of the powers conferred upon the Minister by sub-section (1) of section 8 of the Public Order Law, 1957, I hereby make the following Order.

1. This Order may be cited as the Public Meetings and Public Processions (Notification) Order, 1957. Citation.

2. (1) Not less than twenty-four hours notice in writing shall be given to the authority specified in sub-paragraph (2) of this paragraph of every public meeting or public procession which is intended to be held in the Region. Notice to be given of public meetings and processions.

(2) The authority to which notice shall be given in accordance with sub-paragraph (1) of this paragraph shall be the superior police officer in charge of the area in which it is intended to hold the public meeting or public procession.

MADE at Ibadan this 28th day of November, 1957.

ANTHONY ENAHORO,  
*Minister of Home Affairs*  
*and Mid-West Affairs*



## W.R.L.N. 356 of 1957

*The Public Health Law, 1957*  
(No. 25 of 1957)*The Local Government Law, 1957*  
(No. 12 of 1957)THE FOODSTUFFS AND REGULATED PREMISES  
ADOPTIVE BYE-LAWS ORDER, 1957

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

In exercise of the powers conferred by section 36 of the Public Health Law, 1957, and by section 82 of the Local Government Law, 1957, upon the Regional Minister charged with responsibility for health matters, the following Order is hereby made :—

1. This Order may be cited as the Foodstuffs and Regulated Premises Adoptive Bye-laws Order, 1957. Short title.

2. (1) The adoptive bye-laws contained in the Schedule to this Order are hereby made. Making and adoption of scheduled bye-laws.

(2) The said bye-laws may be adopted, in accordance with the provisions of section 82 of the Local Government Law, 1957, as a whole, but not in parts, by a local government council to whose functions they relate.

## SCHEDULE

## PART I.—PRELIMINARY

1. These Bye-laws may be cited as the Foodstuffs and Regulated Premises Adoptive Bye-laws, 1957. Short title.

2. In these Bye-laws—

“aerated water factory” means any premises in which aerated and mineral waters, and fruit drinks other than imported ones are prepared and stored for sale ;

“bakehouse” means any premises set apart or intended for the preparation or baking of bread and similar foodstuffs for sale ;

“corn-mill” means any premises set apart or intended for the preparation of flour and similar food for sale ;

“the council” means the council which has adopted these bye-laws ;

“dairy” means any premises in which milk, other than imported preserved milk, is produced or kept for sale ;

“eating house” means any premises where food is sold for human consumption on the premises ;

“food preparing and food preserving establishment” means any premises where foodstuffs are prepared or preserved or exposed for sale of human consumption off the premises ;

“medical officer of health” means a medical officer of health having authority in the area of the council in accordance with section 3 or 4 of the Public Health Law, 1957 ;

Interpretation.

“regulated premises” includes bake-houses, corn-mills, rice-mills, aerated water factories, dairies, eating houses and food-preparing and food-preserving establishments ;

“rice mill” means any premises set apart for the cleaning and preparation of rice for sale.

#### PART II.—PREPARATION AND SALE OF FOODSTUFFS

Foodstuffs  
for sale to be  
kept in  
containers.  
First  
Schedule.

3. No person shall display or offer for sale to the public in or at any market, regulated premises or any other public place—

(a) any of the foodstuffs specified in the first column of the First Schedule to these bye-laws, unless these foodstuffs are suitably protected from contamination and kept in any one of the appropriate containers specified in the second column of the First Schedule opposite the particular foodstuffs ;

(b) any aerated or other mineral water unless the aerated or other mineral water is retained in the container in which the manufacturer has produced it.

Containers  
to be kept  
clean.

4. All cooking pots, calabashes, bottles, trays or other receptacles and all utensils used in or for the preparation, display or offering for sale of any foodstuffs, whether used in regulated premises or otherwise, shall be kept in a clean and sanitary condition ; and all coverings of any kind used for protecting such foodstuffs shall be kept reasonably clean.

#### PART III.—REGULATED PREMISES

Licensing of  
regulated  
premises.

5. (1) The proprietor or occupier of any regulated premises who desires to carry on business on those premises shall obtain a licence in respect thereof from the council before the regulated premises are put into use.

(2) The council shall not grant a licence in respect of any regulated premises unless the premises comply with the provisions of these Bye-laws and the medical officer of health has inspected and approved the same.

Second  
Schedule.

(3) There shall be paid in respect of each licence the appropriate fee set out in the Second Schedule : Provided that where a baker uses machinery for baking, the licence fee in respect of the regulated premises in which the machinery is housed shall be the appropriate fee set out in the Second Schedule.

Third  
Schedule.

(4) A licence granted by the council under these Bye-laws shall be in the form set out in the Third Schedule.

Renewal of  
licence.

6. The licensing of all regulated premises shall be renewed yearly, half yearly or quarterly in the month of January, April, July or October and the fees and conditions of any such renewal shall be the same as those specified in the case of an original licence under bye-law 5.

Situation  
and form of  
building.

7. (1) No regulated premises shall have direct communication with any other premises.

(2) The oven of any bakehouse shall not be situated in the kneading room or the store room in which pans, flour and other foodstuffs are kept.

Dimensions.

8. All regulated premises shall have—

(a) an area of not less than 200 square feet ;

( ) an average height of not less than 10 feet ;

- (c) an average width of not less than 10 feet ;
- (d) a smooth floor paved with not less than 2 inches of concrete and drained to carry off all waste water.
9. The interior of all regulated premises shall be limewashed at least once every twelve months. Maintenance.
10. (1) No person shall sleep in a regulated premises or use the same in any manner as a dwelling house. Premises not to be used as dwelling house or for keeping animals.
- (2) No animal, bird or reptile shall be allowed or kept on any regulated premises. Sanitary precautions on regulated premises.
11. Every reasonable precaution shall be taken by the proprietor or occupier of regulated premises :—
- (a) to render the same fly-proof ;
- (b) to keep down vermin ;
- (c) to provide adequate means of escape to the open air from any exhaust fumes engendered by any machinery or engine in use on the regulated premises.
12. All water used on any regulated premises shall be obtained from a source approved by a health officer. Water Supply.
13. All regulated premises shall have adequate sanitary toilet facilities approved by a health officer. Sanitary facilities.
14. No person suffering from an infectious disease shall be employed on any regulated premises. Infected persons not to be employed.
15. No person shall use or permit a corn-mill to be used between the hours of 7.00 p.m. and 6.00 a.m. Permitted hours of corn-mill.
16. A health officer shall have the right to inspect any regulated premises at all reasonable times. Inspection.
17. Where any proprietor or occupier of any regulated premises has been prosecuted to conviction for a second or subsequent offence against these bye-laws, the council may, if it considers it necessary in the interest of public health, revoke the licence under which the regulated premises are in use. Revocation of licence.

## PART IV.—MISCELLANEOUS

18. Any person who contravenes or fails to comply with any of the provisions of these bye-laws shall be guilty of an offence and, on conviction, shall be liable to a fine not exceeding twenty pounds or, in default of payment, to imprisonment not exceeding three months. Penalties.
19. The Schedules to these bye-laws may be varied by a resolution of the council to be published in the Regional Gazette. Variation of Schedules.

MADE at Ibadan this 19th day of November, 1957.

J. O. ADIGUN,  
Minister of Health and Social Welfare

FIRST SCHEDULE  
(Bye-law 3)

Varieties of Foodstuffs	Container and Covering
(1) Akara (all varieties), ojojo, mosa or masa (all varieties), moyinmoyin, abala, idele, igbalao, abodo, boiled or roasted maize (all varieties), boiled or fried plaintain (all varieties), roasted or boiled or fried yam, cocoyam, sweet potatoes, puff-puff, boiled, fried or roasted meat, fish or poultry, peeled and/or sliced fruits, chinchin (pastry), adun, fura, (all varieties), ogi, (all varieties), milgao, bread, rice, bread-cakes, (all varieties), buns, gurudi, biscuits (all varieties), sugar, sliced coconut or coconut-cake, groundnut cake, shelled, boiled, or roasted groundnuts, tuo, stews, and soups (all varieties).	To be kept in a calabash, bowl, dish or similar container fitted with a close-fitting lid or cover in basket or trays (metal or wooden) covered by a white cloth.
(2) All varieties of stews or soups and all other foodstuffs referred to in (1) above in the course of preparation for sale by cooking.	To be prepared in earthen-ware or metal cooking pots fitted with a suitable close-fitting-lid or cover.
(3) Sugar, sweet meats and other sugar products.	To be kept in covered glass jars or containers.

SECOND SCHEDULE  
(Bye-law 5)

Type of Regulated Premises	Fees		
	£	s	d
Aerated Water factory and Bakehouse ... ..	1	0	0
	11	0	0
	0	6	0
Other regulated premises ... ..	0	10	0
	0	5	6
	0	3	0
Bakehouse with baking machinery installed ... ..	5	0	0
	3	0	0
	2	0	0

THIRD SCHEDULE  
(Bye-law 5)  
LICENCE

THE ..... COUNCIL  
THE FOODSTUFFS AND REGULATED PREMISES  
ADOPTIVE BYE-LAWS, 1957

Licence No. .... 19 .....

The premises situate at No. ....

Street ..... are hereby licensed as regulated premises in accordance with the provisions of the Foodstuffs and Regulated Premises Adoptive Bye-laws, 19 .....

Proprietor's or Occupier's Name .....

Address .....

This licence expires on the 31st day of December, 19 .....

DATED the ..... day of ..... 19 .....

Secretary

..... Council

## W.R.L.N. 357 of 1957

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE PREPARATION AND SALE OF PALM WINE  
ADOPTIVE BYE-LAWS ORDER, 1957

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

In exercise of the powers conferred by section 82 of the Local Government Law, 1957, upon the Regional Minister to whom responsibility for local government is assigned, the following Order is hereby made :—

1. This Order may be cited as the Preparation and Sale of Palm Wine Adoptive Bye-laws Order, 1957. Short title.
2. (1) The Adoptive Bye-laws contained in the Schedule to this Order are hereby made. Making and adoption of scheduled bye-laws.
- (2) The said Bye-laws may be adopted, in accordance with the provisions of section 82 of the Local Government Law, 1957, as a whole, but not in parts, by a local government council to whose functions they relate.

SCHEDULE

1. These Bye-laws may be cited as the Preparation and Sale of Palm Wine Adoptive Bye-laws, 1957. Short title.
2. In these Bye-laws—
  - “the council” means the council which has adopted these Bye-laws ;
  - “health officer” includes a medical officer of health, a health superintendent or inspector or other person acting under the authority, whether general or special, of the medical officer of health, and whether such superintendent, inspector or other person is serving in the medical or sanitary departments of the Regional Government or in the service of the council ;
  - “medical officer of health” means a medical officer of health having authority in the area of the council in accordance with section 3 or 4 of the Public Health Law, 1957 ;
  - “notifiable infectious disease” means a notifiable infectious disease as defined in section 2 of the Public Health Law, 1957 ;
  - “palm wine” means the beverage commonly known by this name or any dilution thereof intended for sale ;
  - “wine tapper” means any person who produces palm wine for sale ;
  - “wine tapping” means producing palm wine for sale.Interpretation.
3. (1) No person shall engage in wine tapping or in the sale of palm wine unless he obtains from the council a palm wine dealer's licence in the form set out in the First Schedule, after having paid therefor the appropriate fee prescribed in the Second Schedule. Issue of licence.  
First Schedule.  
Second Schedule.
- (2) A licence for wine tapping or for the sale of palm wine may be issued yearly or half-yearly beginning in the month of January or July, as the case may be.

Adulteration or dilution of palm wine.

4. No person shall—
- (a) dilute palm wine other than with potable water ; or
  - (b) add to palm wine any matter other than the normal amount of fermented palm wine necessary to induce fermentation ; or
  - (c) produce, reat, handle or place in any receptacle, or transport, any palm wine in a manner likely to make its consumption inju ious to health ; or
  - (d) produce, treat or handle palm wine unless his person and clothing are clean ; or
  - (e) if suffering from any notifiable infectious disease, engage in wine tapping or sell, produce, treat or handle palm wine intended for sale.

Powers of health officer to examine condition and give directions.

5. (1) A health officer shall have power to examine the condition under which palm wine is tapped, the receptacles in which it is contained, the manner in which it is transported and generally to take any other reasonable steps to ensure compliance with the provisions of these bye-laws ; and for these purposes a health officer may give such directions from time to time as he may consider necessary.

(2) A health officer may inspect any quantity of palm wine produced for sale for human consumption and, if he considers such palm wine unwholesome or unfit for human consumption, may order it to be destroyed or disposed of so as to prevent the same from being used for human consumption.

Penalties.

6. Any person who contravenes or fails to comply with any of the provisions of these bye-laws shall be guilty of an offence and, on conviction, shall be liable to a fine not exceeding two pounds or, in default of payment, to imprisonment not exceeding fourteen days ; and in addition to any such penalty, the court may order the offender's licence to be suspended for a stated period not exceeding the unexpired portion of the period for which it was granted.

Fees. Second Schedule.

7. The fees prescribed in the Second Schedule may be varied by a resolution of the council to be published in the Regional Gazette.

### FIRST SCHEDULE

#### FORM

The.....Council (Preparation and sale of Palm Wine) Adoptive Bye-laws, 19.....

### PALM WINE DEALER'S LICENCE

.....of.....  
is hereby licensed to engage in wine tapping and the sale of palm wine for the period 1st January/July, 19.....to 30th/31st June/December 19.....

Fee paid.....

Date.....

.....  
*Issuing Officer*

	£	s	d
Fee for a yearly licence (wine tapping and selling) ...	0	10	0
Fee for a half-yearly licence (wine tapping and selling) ...	0	5	0

MADE at Ibadan this 25th day of November, 1957.

D. S. ADEGBENRO,  
*Minister of Local Government*



**W.R.L.N. 358 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

DELEGATION OF POWERS OF  
COMMISSIONER OF INLAND REVENUE

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

In exercise of the powers conferred upon me by paragraph (a) of sub-section (6) of section 144 of the Local Government Law, 1957, I hereby delegate to the Inspectors of Income Tax for the time being in charge of the Income Tax Offices of the Western Region at Abeokuta, Akure, Benin-City, Ibadan, Ijebu-Ode, Ilesha, Oshogbo, Oyo and Warri, the powers conferred on the Commissioner of Inland Revenue by sub-sections (1) to (5) inclusive of section 144 of the Local Government Law, 1957.

C. J. BAKER,  
*Commissioner of Inland Revenue, Western Region*

**W.R.L.N. 359 of 1957**

*The Publications Law, 1956*  
(No. 13 of 1957)

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

In exercise of the power conferred on the Governor by section 3 of the Publications Law, 1956, it is hereby prescribed that the Director of Information Services shall be the officer to whom the publisher of every book published in the Region shall deliver two copies thereof for their preservation in accordance with the provisions of the said section.

• DATED at Ibadan this 4th day of November, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and Executive Council*

## W.R.L.N. 360 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

Notice is hereby given under Rule 40A of the Forestry (Southern Provinces Native Authorities) Rules, 1943, as made by the former Ibadan Native Authority that the Working Plans in the first column in the schedule hereto have been decided upon for the areas in the second column of the schedule and are available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Gambari Plantations.	Part of the Ibadan District Native Authority Forest Reserve (Gambari Forest) (Ibadan Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Oyo/Ibadan at Ibadan.
Oke-Aremo and Ogunpa-Dam Plantations.	(a) Ibadan District Council Forest Reserve (Ogunpa Dam Forest) (Ibadan Division). (b) Ibadan District Council Reserve (Oke-Aremo Forest) (Ibadan Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Oyo/Ibadan at Ibadan.
Gambari Reserve.	Part of the Ibadan District Native Authority Forest Reserve (Gambari Forest) Ibadan Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Oyo/Ibadan at Ibadan.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plans.

GIVEN at Ibadan this 7th day of November, 1957.

WILLIAM S. A. WARREN,  
*Secretary,*  
*Ibadan (Provisional) District Council*  
I. B. AKINYELE,  
*Chairman*  
*Ibadan (Provisional) District Council*

APPROVED this 18th day of November, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,*  
*Western Region*

## W.R.L.N. 361 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

Notice is hereby given under Regulation 46 of the Forestry Regulations that the Working Plan in the first column of the schedule hereto has been decided upon for the area in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Eleiyele Forest Reserve.	Eleiyele (Ibadan) Forest Reserve (Ibadan Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Ibadan.

*Note.*—Detailed descriptions of the area set out in the second column of the schedule are given in the Working Plan.

GIVEN at Ibadan this 16th day of November, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,  
Western Region*

**W.R.L.N. 362 of 1957**

*Aid to Pioneer Industries Ordinance, 1952  
(No. 10 of 1952)*

ORDER DECLARING A PIONEER INDUSTRY

DATE OF COMMENCEMENT : 7TH NOVEMBER, 1957

WHEREAS representations have been received pursuant to sub-section (i) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

Citation. 1. This Order may be cited as the Aid to Pioneer Industries (No. 7) Order, 1957.

Declaration. 2. It is hereby declared that—  
(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and  
(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

SCHEDULE

<i>Industry</i>	<i>Products</i>
Manufacture from natural and synthetic fibres of sacks, bags and textiles, including preparation, spinning, weaving and finishing.	Sacks, bags, hessian, cordage, rope, yarn twine and waste fibre.

MAURICE JENKINS,  
*Acting Deputy Secretary to the Council of Ministers*

Lagos, 25th October, 1957.

## W.R.L.N. 363 of 1957

*Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

AID TO PIONEER INDUSTRIES (No. 8) ORDER, 1957

DATE OF COMMENCEMENT : 21ST NOVEMBER, 1957

WHEREAS representations have been received pursuant to sub-section (i) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

1. This Order may be cited as the Aid to Pioneer Industries (No. 8) Citation. Order, 1957.

2. It is hereby declared that—

Declaration.

(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and

(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

SCHEDULE

<i>Industry</i>	<i>Products</i>
Manufacture of foot-wear.	Boots, shoes, slippers and sandals.

MAURICE JENKINS,  
*Acting Deputy Secretary to the Council of Ministers*

Lagos, 13th November, 1957.

L.0214/S.41.

**W.R.L.N. 364 of 1957**

*Aid to Pioneer Industries Ordinance, 1952*  
(No. 10 of 1952)

AID TO PIONEER INDUSTRIES (No. 9) ORDER, 1957

DATE OF COMMENCEMENT : 14TH NOVEMBER, 1957

WHEREAS representations have been received pursuant to sub-section (i) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, for the making of an Order declaring the industry and the products set out in the Schedule to this Order to be a pioneer industry and pioneer products :

AND WHEREAS all necessary steps have been taken, pursuant to sub-sections (1), (2) and (3) of section 3 of the said Ordinance, prior to the making of this Order ;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by sub-section (3) of section 3 of the Aid to Pioneer Industries Ordinance, 1952, the following Order is hereby made :—

Citation. 1. This Order may be cited as the Aid to Pioneer Industries (No. 9) Order, 1957.

Declaration. 2. It is hereby declared that—

(a) the industry set out in the Schedule hereto shall be a pioneer industry ; and

(b) the products set out in the Schedule hereto of such industry shall be pioneer products of such industry.

SCHEDULE

<i>Industry</i>	<i>Products</i>
Manufacture of goods made wholly or partly of rubber.	Rubber-soled shoes, tyres and tubes, compounded rubbersheeting, camelback moulded and extruded rubber goods, rubber cement, rubber solution, rubber flooring compound and rubber flooring.

MAURICE JENKINS,  
*Acting Deputy Secretary to the Council of Ministers*

Lagos, 8th November, 1957.

W.R.L.N. 365 of 1957

*ORDER made under SECTION 16 OF THE DOGS ORDINANCE  
(Cap. 56)*

DATE OF COMMENCEMENT :            SEPTEMBER, 1957

In exercise of its powers under section 16 of the Dogs Ordinance, the Sapele Urban District Council hereby makes the following Order :—

1. This Order may be cited as the Rabies (Sapele Urban District Council Area) Declaration and Prohibition Order, 1956.
2. The Town of Sapele within Sapele Urban District Council area is declared to be a diseased area.
3. The removal of dogs from the diseased area to any other area or from any other area to the diseased area is prohibited.

MADE at Sapele this 27th day of September, 1957.

???

*Chairman*

*Sapele Urban District Council, Sapele*

???

*Secretary,*

*Sapele Urban District Council, Sapele*

*The Explosives Regulations*

APPOINTMENT OF INSPECTORS OF EXPLOSIVES

DATE OF COMMENCEMENT : 5TH DECEMBER, 1957

In exercise of the powers conferred on the Governor by regulation 4 of the Explosives Regulations, all Engineers of the Public Works Department of the Western Region of or above the rank of Executive Engineer are appointed to be inspectors of explosives for the purposes of Part IV of the Regulations in so far as explosives are to be used for purposes other than prospecting or mining or carrying out works on any railway operated by the Nigerian Railway Corporation.

Laws of  
Nigeria,  
Vol. VIII,  
page 81.

2. The Instrument of Appointment of Inspectors of Explosives under Regulation 4 (1) of the Explosives Regulations is amended by deleting the following words :—

“Provincial Engineers of the Public Works Department in so far as explosives are to be used for blasting purposes.

“Superior Police Officers or where there is no Superior Police Officer then the Administrative Officer in charge of the Division or District in so far as explosives are to be used for purposes other than mining, prospecting or blasting, or in works carried out on the railway.”

DATED at Ibadan this 25th day of November, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and Executive Council*

**W.R.L.N. 367 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Okitipupa North ...	Education Secretary, Okitipupa Divisional Council.	Whole Constituency.

2. The appointment of Secretary/Treasurer, Ikale-Idapomarun District Council as Registration Officer, notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 5th December, 1957.

**W.R.L.N. 368 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Afenmai East ...	The Secretary, Etsako District Council.	Whole Constituency.

2. The appointment of Mr O. Otuyelu as Electoral Officer in Afenmai East Constituency notified in Western Region Legal Notice 76 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 3rd December, 1957.

**W.R.L.N. 369 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

APPOINTMENT OF ASSISTANT ELECTORAL OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 5 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Assistant Electoral Officer has been made for the purpose of Local Government Elections :—

<i>Assistant Electoral Officer</i>	<i>Area of Responsibility</i>
Secretary, Ikale-Orisunmeta District Council	Ikale-Orisunmeta District Council Area.

J. F. HAYLEY,  
*Electoral Commissioner,  
Western Region*

Ibadan, 5th December, 1957.

**W.R.L.N. 370 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

APPOINTMENT OF ELECTORAL OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Okitipupa North ...	Education Secretary, Okitipupa Divisional Council.	Whole Constituency.

2. The appointment of Mr S. O. Regiu as Electoral Officer, Okitipupa North, notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,  
Western Region*

Ibadan, 5th December, 1957.

## W.R.L.N. 371 of 1957

*BYE-LAWS made under THE LOCAL GOVERNMENT  
LAW, 1957  
(No. 12 of 1957)*

• THE IBADAN (PROVISIONAL) DISTRICT COUNCIL  
(CONTROL OF SITING OF ADVERTISEMENTS)  
BYE-LAWS, 1957

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

In exercise of the powers conferred upon the Council by section 67 of the Local Government Law, 1957, and by Western Region Legal Notice 26 of 1956 the following bye-laws have been made by the Ibadan (Provisional) District Council with the approval of the Minister of Local Government.

1. These Bye-laws may be cited as Ibadan (Provisional) District Council (Control of Siting of Advertisements) Bye-laws, 1957, and it shall apply to all persons subject to the jurisdiction of the Ibadan (Provisional) District Council whilst within its area of jurisdiction. Short title and application.

2. In these Bye-laws :—

“Council” means the Ibadan (Provisional) District Council. Definitions.

“Advertisement” includes any announcement or direction and any bill, poster, sign, signboard, sky-sign, placard, leaflet, notice, and any hoarding or similar structure or apparatus used, erected or intended for the purpose of advertising or for display of advertisements of any kind ;

“building” includes every house, hut, shed, or roofed enclosure whether used for the purpose of human habitation or for manufacture, storage, business or otherwise and also every wall, fence, roof, gable, panel, staging, gate, post, pillar, paling, frame, hoarding, slip, pier, jetty or bridge.

3. (1) No advertisement whose area exceeds four square feet shall be exhibited or erected within 100 feet from the centre line of any of the length of roads named in the First Schedule hereto without a licence issued by the Council which may impose such conditions as it shall think fit. Control of advertisements.

(2) All existing advertisements whose area exceeds four square feet exhibited or erected within 100 feet from the centre line of any of the roads named in the First Schedule shall either be licensed or removed within 30 days after publication of these bye-laws.

(3) Any such licence shall be in the form set out in the Second Schedule. hereto.

4. Where any advertisement has been exhibited or erected in contravention of bye-law 3 or is in existence at the date of publication of these bye-laws, and in the opinion of the Council injuriously affects the amenities and natural beauty of the area, or the convenience and safety of the public, the Council may serve or cause to be served a notice on the person who caused such advertisements to be exhibited or erected, if such person can be ascertained, or on the owner or occupier of the land or building on or in which the same is exhibited or erected, to remove such advertisement within fourteen days from the service of the notice. Notice for removal of advertisements.

- Failure to comply with notice. 5. Whenever any person, owner or occupier fails to comply with the terms of any notice served upon him in accordance with the provisions of bye-law 4 the Council or its appointed employee may enter upon the land or building and remove the advertisement and expenses incurred thereby shall be paid by the person, owner or occupier in default.
- Licence. 6. Any person taking out any licence in respect of any approved advertisement shall pay for such licence an annual fee of 5s for an advertisement of an area between 4 and 10 square feet, and £1 for an advertisement of an area above 10 square feet.
- Penalty. 7. (1) Any person failing to take out or comply with the terms of a licence as provided in bye-law 3 shall be liable on conviction to a fine of £25 for each offence or in default of payment to imprisonment for three months.  
(2) Any person who contravenes the provisions of bye-law 4 shall be liable on conviction to a fine of twenty-five pounds or in default of payment to imprisonment for three months.

FIRST SCHEDULE

<i>No.</i>	<i>Name of Road</i>	<i>Length affected</i>	<i>Length in Feet approx.</i>
1.	Lebanon Street ...	Ogunpa Motor Park to War Memorial Tower ...	2,146
2.	Dugbe Road ...	War Memorial Tower to Dugbe Market ...	400
3.	Onireke Street ...	Ogunpa Motor Park Junction to Ekotedo Road Junction ...	2,200
4.	Oyo Road...	Railway Station to University College Ibadan ...	21,120
5.	Agbeni Street ...	Gege Square to Amunigun Market ...	2,400
6.	Bere Street ...	The Market to Bere Square ...	2,150
7.	Ijebu Bye-Pass ...	Bank Road Junction to Buko Ijebu Road ...	11,959
8.	New Court Road...	Junction Amunigun Road to Bank Road ...	3,836
9.	Bank Road ...	War Memorial Tower to Junction Route 1 ...	1,580
10.	Lebanon Link Road	Junction Lebanon Street to Junction New Court Road	1,330
11.	Elizabeth II Road	Sabo Junction to Ife Road ...	21,120
12.	Lagos Road ...	Railway Station to Government College ...	26,400
13.	Bola Road ...	Junction Amunigun Market to Junction Ijebu Bye Pass ...	2,200
14.	A.B.C. Stores Link Road	Lebanon Street to Junction New Court Road ...	330
15.	Idikan Road ...	Egerton Junction Road to Ogunpa Motor Park ...	2,830
16.	Ife Road ...	Bere Square to Baptist Mission Headquarters ...	21,120
17.	Ibuko Road ...	Idiarere Motor Park to The Headquarters Challenge ...	21,120

SECOND SCHEDULE  
 THE IBADAN (PROVISIONAL) DISTRICT COUNCIL  
*Control of Siting of (Advertisement) Bye-laws, 1957*  
 LICENCE

Licence is hereby granted to.....

to erect an advertisement at.....

until the..... day of....., 195.....

DATED this..... day of....., 195.....

.....  
*Signature of Issuing Officer*

MADE by the Ibadan (Provisional) District Council the 8th day of October, 1957,  
 the Common Seal of the Council being hereunto affixed in the presence of—

I. B. AKINYELE,  
*Chairman,*  
*Ibadan (Provisional) District Council*

W. S. A. WARREN,  
*Secretary,*  
*Ibadan (Provisional) District Council*

Signified in accordance with the Ibadan (Provisional) District Council Standing  
 Orders dated the 13th day of March, 1956.

APPROVED by me at Ibadan this 26th day of November, 1957.

D. S. ADEGBENRO,  
*Minister of Local Government*



W.R.L.N. 372 of 1957

*The Forestry Ordinance (Cap. 75)*

THE FORESTRY (FEES FOR MINING) (AMENDMENT)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

In exercise of the powers conferred on the Governor in Council by section 46 of the Forestry Ordinance, the following Regulations are hereby made :—

1. These Regulations may be cited as the Forestry (Fees for Mining) Short title, (Amendment) Regulations, 1957.

2. Regulation 4 of the Forestry (Fees for Mining) Regulations is hereby amended by deleting the word "Resident" from paragraph (c) of the regulation and inserting instead the words "Provincial Forest Officer".

Amendment  
of regulation  
4 of the  
Regulations,  
Laws of  
Nigeria  
(1948)  
Vol. VII  
Page 701.

MADE by the Governor in Council at Ibadan this 18th day of November, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and Executive Council*

## W.R.L.N. 373 of 1957

*The Forestry Ordinance (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

Notice is hereby given under Rule 40A of the Forestry (Southern Provinces Native Authorities) Rules, 1943, as made by the former Ife Native Authority that the Working Plans in the first column in the schedule hereto have been decided upon for the areas in the second column of the schedule and are available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Ife Reserve ...	Ife Native Authority ...	(a) Office of the Chief Conservator of Forests, Ibadan.
	Forest Reserve (Ife Division) ...	(b) Office of the Provincial Forest Officer, Oyo/Ibadan at Ibadan.
Shasha Reserve	Shasha Native Authority ...	(a) Office of the Chief Conservator of Forests, Ibadan.
	Forest Reserve (Ife Division) ...	(b) Office of the Provincial Forest Officer, Oyo/Ibadan at Ibadan.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plans.

GIVEN at Ife this 5th day of November, 1957.

ADEREMI, ONI OF IFE,  
*Chairman,*  
*Ife Divisional Council*

M. A. FABUNMI,  
*Secretary,*  
*Ife Divisional Council*

APPROVED this 23rd day of November, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,*  
*Western Region*

## W.R.L.N. 374 of 1957

*The Forestry Ordinance (Cap. 75)*

## THE FORESTRY (AMENDMENT) REGULATIONS, 1957

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

In exercise of the powers conferred on the Governor in Council by section 46 of the Forestry Ordinance, the following Regulations are hereby made :—

1. These Regulations may be cited as the Forestry (Amendment) Regulations, 1957.

2. The provisions of the Forestry Regulations mentioned in the First Column of the Schedule to the Regulations shall be amended as specified in the Second Column of the Schedule.

Short title.

Amendments  
to Forestry  
Regulations.  
Laws of  
Nigeria  
(1948) Vol.  
VIII, page  
87.

## SCHEDULE

FIRST COLUMN	SECOND COLUMN
<i>Provisions of Forestry Regulations</i>	<i>Amendments</i>
Regulation 2 ...	(a) <i>Insert</i> after the definition of "injure" the following definition—"Minister" means the Regional Minister charged, in accordance with the Nigeria (Constitution) Order in Council, 1954, with responsibility for forestry matters ;" (b) <i>Delete</i> from the definition of "petty local trade" the words "The Resident with the concurrence of".
Regulation 3 ...	<i>Delete</i> the words "Resident of any province with the concurrence of the conservator" and <i>insert</i> instead the word "Minister".
Regulation 5 ...	(a) <i>Delete</i> the words "the Resident may with the concurrence of" ; (b) <i>Insert</i> the word "may" immediately before the word "by notice".
Regulation 6 } Regulation 9 }	<i>Delete</i> the word "Resident" and <i>insert</i> instead the words "provincial forest officers".
Regulation 10 ...	<i>Delete</i> the words "administrative officer".
Regulation 21 ...	<i>Delete</i> the word "Resident" and <i>insert</i> instead the word "Minister".
Regulation 26 } Regulation 30 (3) }	<i>Delete</i> the word "Resident" and <i>insert</i> instead the words "provincial forest officer".
Regulation 36 ...	<i>Delete</i> the word "administrative" and the comma before it.
Regulation 40 ...	<i>Delete</i> the words "Governor of the Region" and <i>insert</i> instead the word "Minister".
Regulation 42	<i>Delete</i> the words "The Resident shall, with the concurrence of the conservator," and <i>insert</i> instead the words "The Minister shall".

B 462

MADE by the Governor in Council at Ibadan this 18th day of November,  
1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and Executive Council*

## W.R.L.N. 375 of 1957

*The Waterworks Ordinance*THE WATERWORKS (ILESHA GENERAL WATER RATE)  
ORDER, 1957

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following order is hereby made :—

1. This order may be cited as the Waterworks (Ilesha General Water Rate) Order, 1957 and shall apply to the town of Ilesha. Short title and application.
2. Subject to paragraph 3 of this order, an annual general water rate of twenty shillings is hereby levied on all male persons of or over sixteen years of age resident within the town of Ilesha. Levy of general water rate.
3. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this order— Exemptions.
  - (a) students in full-time attendance at any school, college or training centre ;
  - (b) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;
  - (c) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance ; provided that not more than eight persons shall be exempted in respect of any one tenement.
4. The general water rate imposed by this order shall be payable yearly in advance on or before the first day of April, and the first payment shall be deemed to have become due on the first day of April, 1957. Time of payment.
5. The Waterworks (Ilesha Assessment) Order, 1954, is hereby revoked.

MADE at Ilesha this 6th day of August, 1957, by the Ilesha Divisional Council's Order.

J. O. FADAHUNSI,  
*Chairman,*  
*Ilesha Divisional Council*

M. A. AKINWUMI,  
*Secretary,*  
*Ilesha Divisional Council*

- APPROVED by the Minister of Local Government this 3rd day of December, 1957.

D. S. ADEGBENRO,  
*Minister of Local Government,*  
*Western Region*



**W.R.L.N. 376 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Badagry East ...	Secretary/Treasurer, District Council.	Ajeromi Ajeromi District Council Area.

2. The appointment of Mr T. O. Avoseh as Registration Officer, Ajeromi District Council Area, notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

J. F. HAYLEY,  
Electoral Commissioner,  
Western Region

Ibadan, 12th December, 1957.

**W.R.L.N. 377 of 1957***Parliamentary and Local Government Electoral Regulations, 1955*

## APPOINTMENT OF REGISTRATION OFFICER

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Registration Officer has been made :—

<i>Constituency</i>	<i>Registration Officer</i>	<i>Area of Responsibility</i>
Ibadan South-West	Secretary to Ibadan (Provisional) District Council.	Whole Constituency.

2. The appointment of Mr J. O. Ogunkeye as Registration Officer, Ibadan South-West notified in Western Region Legal Notice 253 of 1956 is hereby revoked.

J. F. HAYLEY,  
Electoral Commissioner,  
Western Region

Ibadan, 12th December, 1957.

**W.R.L.N. 378 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

**APPOINTMENT OF ELECTORAL OFFICER**

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Badagry East	Secretary/Treasurer, Ajeromi District Council.	Ajeromi District Council Area.

2. The appointment of Mr T. O. Avoseh as Electoral Officer, Ajeromi District Council Area, notified in Western Region Legal Notice 76 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 12th December, 1957.

**W.R.L.N. 379 of 1957**

*Parliamentary and Local Government Electoral Regulations, 1955*

**APPOINTMENT OF ELECTORAL OFFICER**

DATE OF COMMENCEMENT : 1ST DECEMBER, 1957

In exercise of the powers vested in the Governor by Regulation 3 of the Parliamentary and Local Government Electoral Regulations, 1955, which powers have been delegated to the Electoral Commissioner as notified in Western Region Legal Notice 208 of 1956, the following appointment as Electoral Officer has been made :—

<i>Constituency</i>	<i>Electoral Officer</i>	<i>Area of Responsibility</i>
Ibadan South-West	Secretary to Ibadan (Provisional) District Council.	Whole Constituency.

2. The appointment of Mr J. O. Ogunkeye as Electoral Officer, Ibadan South-West, notified in Western Region Legal Notice 49 of 1956 is hereby revoked.

J. F. HAYLEY,  
*Electoral Commissioner,*  
*Western Region*

Ibadan, 12th December, 1957.

**W.R.L.N. 380 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
EKAMARUN DISTRICT COUNCIL

DATE COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ekamarun District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ekamarun District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1957, be adopted.

D. A. MURPHY,  
Permanent Secretary,  
Ministry of Local Government

Ibadan, 11th December, 1957.

W.R.L.N.  
15 of 1956.

**W.R.L.N. 381 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE REGISTRATION OF BIRTHS AND DEATHS  
ADOPTIVE BYE-LAWS ORDER, 1957  
IREPO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Irepo District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Irepo District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 14th day of October, 1957, that the Registration of Births and Deaths Adoptive Bye-laws, 1957, be adopted.

D. A. MURPHY,  
Permanent Secretary,  
Ministry of Local Government

Ibadan, 11th December, 1957.

W.R.L.N.  
15 of 1956.

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**W.R.L.N. 382 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE CONTROL OF SHEEP AND GOATS ADOPTIVE BYE-LAWS  
ORDER, 1957 : EGBADO-KETU DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Egbado-Ketu District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Egbado-Ketu District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 26th day of September, 1957, that the Control of Sheep and Goats Adoptive Bye-laws, 1956, be adopted.

W.R.L.N.  
14 of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 11th December, 1957.

**W.R.L.N. 383 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1957  
IBARAPA DISTRICT COUNCIL**

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ibarapa District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ibarapa District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 4th day of October, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956, and the Vehicle Licensing Adoptive (Amendment) Bye-laws, 1957, be adopted.

W.R.L.N.  
11 of 1956.  
W.R.L.N.  
276 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 11th December, 1957.

**W.R.L.N. 384 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957**  
**IKORODU DIVISIONAL COUNCIL**

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikorodu Divisional Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ikorodu Divisional Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of August, 1957, that the Markets Adoptive Bye-laws, 1956, be adopted.

W.R.L.N. 10  
of 1956.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 2nd December, 1957.

**W.R.L.N. 385 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

**THE VEHICLE LICENSING ADOPTIVE BYE-LAWS ORDER, 1957**  
**IKORODU DIVISIONAL COUNCIL**

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given that in exercise of the powers conferred upon the Ikorodu Divisional Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ikorodu Divisional Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 24th day of August, 1957, that the Vehicle Licensing Adoptive Bye-laws, 1956, and the Vehicle Licensing Adoptive (Amendment) Bye-laws, 1957, be adopted.

W.R.L.N. 11  
of 1956.  
W.R.L.N.  
276 of 1957.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 11th December, 1957.

**W.R.L.N. 386 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE CONTROL OF MOTOR PARKS ADOPTIVE  
BYE-LAWS ORDER, 1957 : IKOLE DISTRICT COUNCIL

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

W.R.L.N. 55  
of 1957.

Notice is hereby given that in exercise of the powers conferred upon the Ikole District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ikole District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 28th day of September, 1957, that the Control of Motor Parks Adoptive Bye-laws, 1957, be adopted.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 11th December, 1957.

**W.R.L.N. 387 of 1957**

*The Local Government Law, 1957*  
(No. 12 of 1957)

THE MARKETS ADOPTIVE BYE-LAWS ORDER, 1957  
IJERO DISTRICT COUNCIL

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

W.R.L.N. 10  
of 1956.

Notice is hereby given that in exercise of the powers conferred upon the Ijero District Council by sections 82 (2) and 271 of the Local Government Law, 1957, the Ijero District Council in accordance with section 82 (3) (a) of the said Law has resolved at its meeting held on the 5th day of October, 1957, that the Markets Adoptive Bye-laws, 1956, be adopted.

D. A. MURPHY,  
*Permanent Secretary,*  
*Ministry of Local Government*

Ibadan, 2nd December, 1957.

W.R.L.N. 388 of 1957

*The Nigeria Town and Country Planning Ordinance  
(Cap. 155)*

APPOINTMENT OF MEMBERS AND SECRETARY OF  
IFE TOWN PLANNING AUTHORITY

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

In exercise of the powers conferred on the Governor by sections 4 to 6, inclusive, of the Nigeria Town and Country Planning Ordinance, the following appointments are hereby made :—

1. The Ife Town Planning Authority shall consist of the following members—

Appointment  
of member  
of Ife Town  
Planning  
Authority.

- The Divisional Adviser, Ife Division (*Chairman*),
- The Officer in Charge, Public Works Department, Oyo Province,
- The Medical Officer of Health, Ife District,
- Chief S. J. M. Onitiju, The Obaloran of Ile Ife,
- Mr E. T. Ladipo,
- Mr Joseph Obi,
- Mr Olufemi,
- Hon. R. A. Fani-Kayode,
- Councillor G. O. Arayela,
- Councillor J. L. Omoworare.

2. The Secretary of the Ife Divisional Council shall be the Secretary to the Authority.

Appointment  
of a  
Secretary.

3. The foregoing appointments are in substitution for the appointment of Members and Secretary of the Ife Town Planning Authority notified in Government Notice No. 233 of 1950.

Revocation  
of  
appointment  
notified in  
G.N. 233 of  
1950.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and Executive Council*

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**W.R.L.N. 389 of 1957**

*The Waterworks Ordinance*  
(Cap. 227)

**THE WATERWORKS (ISEYIN GENERAL WATER RATE)  
ORDER, 1957**

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

In exercise of the powers conferred upon the prescribed authority by section 9 of the Waterworks Ordinance, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Waterworks (Iseyin Water Rate) Order, 1957, and shall apply to the town of Iseyin.

Levy of  
General  
Water Rate.

2. Subject to paragraph 3 of this order, an annual general water rate of five shillings is hereby levied on all male persons of or over sixteen years of age resident in the town of Iseyin.

Exemption.

3. The following persons or classes of persons shall be exempt from the general water rate imposed by paragraph 2 of this order.

(a) students in full time attendance at any school, college or training centre who, while undergoing such training, are not in receipt of any salary, stipend or other emoluments derived from any source ;

(b) any indigent person who is by reason of bodily infirmity or disease unable to earn more than the bare means of subsistence ;

(c) owners or occupiers of tenements on which water rate is levied by regulations made under section 16 of the Waterworks Ordinance :

Provided that no more than eight persons shall be exempted in respect of any one tenement.

Rate  
payable in  
advance.

4. The general water rate imposed by this order shall be payable yearly in advance on or before the first day of April and the first payment shall be deemed to have become due on the first day of April, 1957.

Revocation  
W.R.P.N.  
66 of 1952.

5. The Waterworks (Oyo Division Assessment) Order, 1952, is hereby revoked, in so far as it applies to Iseyin Town.

MADE at Iseyin this 7th day of November, 1957, by the Iseyin District Council's order.

A. BAMIDELE BELLO,  
*Chairman,*  
*Iseyin District Council*

Y. A. O. SANNT,  
*Secretary/Treasurer,*  
*Iseyin District Council*

APPROVED by the Minister of Local Government this 6th day of December, 1957.

D. S. ADEGBENRO,  
*Minister of Local Government,*  
*Western Region*

W.R.L.N. 390 of 1957

ORDER made under THE FORESTRY ORDINANCE  
(Cap. 75)

AKURE-OFOSU EXTENSION FOREST RESERVE

DATE OF COMMENCEMENT : 12TH DECEMBER, 1957

In exercise of the powers conferred upon the Governor by section 12 of the Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Akure-Ofosu Extension Forestry (Idanre Forest Reserve Amendment) Order, 1957.

2. All that piece of land, the situation and limits of which are set forth in the First Schedule hereto and being part of the Idanre Forest Reserve, subject to the rights affecting the same as set forth in the Second Schedule hereto, shall constitute a separate Government Forest Reserve, which Reserve shall be known as the Akure-Ofosu Extension Forest Reserve and Order No. 8 of 1927 as amended from time to time is hereby further revised and modified accordingly.

FIRST SCHEDULE

All that piece of land containing eight decimal three square miles or thereabouts situated in the south-west of the Akure District of the Ondo Province and bounded as follows :—

*North (eastward)* :—Starting from a point, the approximate co-ordinates of which are  $5^{\circ} 13' 30''$  E,  $6^{\circ} 58' 10''$  N (Nigeria Survey Map 1 : 500,000 Sheet 9 of 1953), situated on the left hand side of the 1955 path from Agogo to Omifunfun and Usehin approximately 1,200 feet from Agogo in a southerly direction measured along the 1955 path from Agogo to Omifunfun and Usehin and marked by beacon No. F.D. 127, by a straight line cut on a bearing of 90 degrees for a distance of 1 mile 950 feet to beacon No. F.D. 128 situated on the right bank of the Ofosu River ; thence

*East (southward)* :—By the right bank of the Ofosu River downstream in a general southerly direction for a distance of approximately 12 miles to a beacon situated on the right bank of the Ofosu River at the point where the right hand side of the 1955 path from Agogo to Omifunfun and Usehin, proceeding from Usehin to Agogo, meets the right bank of the Ofosu River ; thence

*West (northward)* :—By the right hand side of the 1955 path from Agogo to Omifunfun and Usehin proceeding from Usehin to Agogo in a general north-westerly direction for a distance of 1 mile 4,620 feet to a beacon ; thence by a straight line cut on a bearing of  $79\frac{1}{2}$  degrees for a distance of 2,216 feet to a beacon ; thence by a straight line cut on a bearing of  $348\frac{1}{2}$  degrees for a distance of 5,256 feet to a beacon ; thence by a straight line cut on a bearing of  $259\frac{1}{2}$  degrees for a distance of 3,000 feet to a beacon situated on the right hand side of the 1955 path from Agogo to Omifunfun and Usehin ; thence by the right hand side of the 1955 path from Agogo to Omifunfun and Usehin proceeding from Usehin to Agogo in a general north-easterly, then northerly direction for a distance of 7 miles 150 feet to beacon No. F.D. 127, the starting point ; excepting that piece of land the situation and limits of which are hereunder described :—

All that piece of land containing 88 acres or thereabouts surrounding Adesua Village in the southern part of the reserve and bounded as follows :—

B 173

Forestry Reserve

rights in the separate time is

thereabouts

*North (eastward)* :—Starting from a point at a distance of 553 feet on a bearing of 358 degrees from a beacon situated on the right hand side of the 1955 path from Adesua to Bolorunduro at a distance of 1,300 feet measured westward along the 1955 path from Adesua to Bolorunduro from Adesua Village and marked by a beacon, by a straight line cut on a bearing of  $87\frac{1}{2}$  degrees for a distance of 1,980 feet to a beacon ; thence

*East (southward)* :—By a straight line cut on a bearing of  $177\frac{1}{2}$  degrees for a distance of 1,912 feet to a beacon ; thence

*South (westward)* :—By a straight line cut on a bearing of  $266\frac{1}{2}$  degrees for a distance of 636 feet to a beacon situated on the left hand side of the 1955 path from Adesua to Usehin ; thence continuing by a straight line cut on a bearing of  $266\frac{1}{2}$  degrees for a distance of 838 feet to a beacon situated on the left hand side of the 1955 path from Adesua to Omifunfun ; thence continuing by a straight line cut on a bearing of  $266\frac{1}{2}$  degrees for a distance of 506 feet to a beacon ; thence

*West (northward)* :—By a straight line cut on a bearing of 358 degrees for a distance of 1,439 feet to a beacon situated on the right hand side of the 1955 path from Adesua to Bolorunduro ; thence continuing by a straight line cut on a bearing of 358 degrees for a distance of 553 feet to a beacon, the starting point.

All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal. All bearings are referred to True North and adjusted from Magnetic bearings observed during the month of January 1955.

All beacons are concrete pillars inscribed with the letters F.D.

The Ofosu River and Usehin of the above description are respectively the Ofosu River and Usen of Nigeria Survey Map 1 : 500,000 Sheet 9 (1953 Edition) square 07.

## SECOND SCHEDULE

### RIGHTS WITHIN THE RESERVE

1. Royalties paid on timber cut in the Reserve shall be paid into the revenue of the Akure Divisional Council.
2. No licence for timber in the Reserve to be granted under Part III of the Forestry Regulations to commercial firms without the consent of the communal owners of the land.
3. The right to hunt is reserved to the communal owners of the land.
4. The right to fish is reserved to the communal owners of the land.
5. The right to collect kolas, snails, and tortoises, is reserved to the communal owners of the land.
6. The right of tapping rubber under permit as heretofore is reserved to the communal owners of the land.
7. *To the general public.*—Rights of way along the 1955 path from Adesua to Omifunfun and along the portion of the 1955 path from Adesua to Usehin within the reserve.

MADE at Ibadan this 25th day of November, 1957.

By His Excellency's Command,

S. O. BIOBAKU,  
*Secretary to the Premier and  
Executive Council*

W.R.L.N. 391 of 1957

*THE FORESTRY ORDINANCE (Cap. 75)*

## NOTIFICATION OF WORKING PLANS

DATE OF COMMENCEMENT : 19TH DECEMBER, 1957

Notice is hereby given under Rule 40A of the Forestry (Southern Provinces Native Authorities) Rules, 1943, as made by the former Ibadan Native Authority that the Working Plan in the first column in the schedule hereto has been decided upon for the area in the second column of the schedule and is available for inspection at the places set out in the third column of the schedule hereto.

## SCHEDULE

<i>Name of Working Plan</i>	<i>Description of Area</i>	<i>Available for inspection at</i>
Ede Plantations	Ede Plantation Forest Reserve (Oshun Division).	(a) Office of the Chief Conservator of Forests, Ibadan. (b) Office of the Provincial Forest Officer, Oyo/Ibadan, at Ibadan.

*Note.*—Detailed descriptions of the areas set out in the second column of the schedule are given in the Working Plan.

GIVEN at Ede this 17th day of October, 1957.

L. O. OMOTOSHO,  
*Secretary,*  
*Ede District Council*

I. ABIOLA ADEJARE,  
*Chairman,*  
*Ede District Council*

APPROVED this 7th day of November, 1957.

P. A. ALLISON,  
*Acting Chief Conservator of Forests,*  
*Western Region*



W.R.L.N. 392 of 1957

*The Public Order Law, 1957*  
(No. 24 of 1957)

THE PROHIBITION OF PUBLIC PROCESSIONS (IMOTA) ORDER

DATE OF COMMENCEMENT : 21ST DECEMBER, 1957

In the exercise of the powers conferred upon me by paragraph (c) of sub-section (2) of section 9 of the Public Order Law, 1957, I hereby make the following Order.

1. This Order may be cited as the Prohibition of Public Processions (Imota) Order, 1957.

2. The following Public Processions are hereby Prohibited in the Imota area of the Ikosi District Council during the period commencing on the 21st day of December, 1957 and ending on the 4th day of January, 1958 :—

All Public Processions.

MADE by me this 21st day of December, 1957.

M. C. H. GUYLER, A.S.P.,  
Superior Police Officer



W.R.L.N. 393 of 1957

*The Road Traffic Ordinance, 1947*  
(No. 43 of 1947)

THE ROAD TRAFFIC (AMENDMENT) (WESTERN REGION)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 1ST JANUARY, 1958

Date of  
commence-  
ment.

In exercise of the powers conferred on the Governor in Council by section 34 of the Road Traffic Ordinance, 1947, the following Regulations are hereby made :—

1. These Regulations may be cited as the Road Traffic (Amendment) (Western Region) Regulations, 1957, and shall come into operation throughout the Western Region on the 1st day of January, 1958.

Title,  
application  
and com-  
mencement.

2. There shall be added to regulation 5 of the Road Traffic Regulations, 1948 (hereinafter referred to as the principal Regulations) the following sub-regulations—

Addition of  
new sub-  
regulations  
to regulation  
5 of principal  
Regulations.  
(Page 338 of  
the Laws of  
Nigeria  
1948-49 Sup-  
plement)."Fresh  
registration  
with current  
identifica-  
tion marks.

(3) Any person may, subject to the provisions of these Regulations, for the purpose of obtaining for a registered vehicle of which he is the owner an identification mark belonging to the current series in place of the identification mark already assigned to the vehicle, apply to a licensing authority to have the existing registration cancelled and the vehicle registered afresh with an identification mark belonging to the current series.

Manner of  
application.  
Form B and  
C. First  
Schedule.

(4) Every such application shall be in duplicate, duly completed in Form B or C, as the case may be, set out in the First Schedule, and shall be accompanied by the licence in respect of the vehicle and a letter addressed to the licensing authority requesting the cancellation of the existing registration of the vehicle and a fresh registration thereof with an identification mark belonging to the current series.

Duty of  
licensing  
authority to  
effect fresh  
registration.

(5) The licensing authority, on receipt of the application, licence and request shall, if satisfied that they are in order, cause the existing registration of the vehicle to be cancelled and shall register afresh, free of all charges incidental to registration, the particulars of the vehicle and assign to it an identification mark belonging to the current series and that identification mark shall be registered in respect of the vehicle ; and the licence shall be amended accordingly and returned to the applicant.

Cancellation  
and fresh  
registration  
to be  
reported to  
central  
registrar.

(6) Every such cancellation and fresh registration shall be reported to the central registrar by the licensing authority.



W.R.L.N. 393 of 1957

*The Road Traffic Ordinance, 1947  
(No. 43 of 1947)*

THE ROAD TRAFFIC (AMENDMENT) (WESTERN REGION)  
REGULATIONS, 1957

DATE OF COMMENCEMENT : 1ST JANUARY, 1958

Date of commencement.

In exercise of the powers conferred on the Governor in Council by section 34 of the Road Traffic Ordinance, 1947, the following Regulations are hereby made :—

1. These Regulations may be cited as the Road Traffic (Amendment) (Western Region) Regulations, 1957, and shall come into operation throughout the Western Region on the 1st day of January, 1958.

Title, application and commencement.

2. There shall be added to regulation 5 of the Road Traffic Regulations, 1948 (hereinafter referred to as the principal Regulations) the following sub-regulations—

Addition of new sub-regulations to regulation 5 of principal Regulations. (Page 338 of the Laws of Nigeria 1948-49 Supplement).

“Fresh registration with current identification marks.

(3) Any person may, subject to the provisions of these Regulations, for the purpose of obtaining for a registered vehicle of which he is the owner an identification mark belonging to the current series in place of the identification mark already assigned to the vehicle, apply to a licensing authority to have the existing registration cancelled and the vehicle registered afresh with an identification mark belonging to the current series.

Manner of application. Form B and C. First Schedule.

(4) Every such application shall be in duplicate, duly completed in Form B or C, as the case may be, set out in the First Schedule, and shall be accompanied by the licence in respect of the vehicle and a letter addressed to the licensing authority requesting the cancellation of the existing registration of the vehicle and a fresh registration thereof with an identification mark belonging to the current series.

Duty of licensing authority to effect fresh registration.

(5) The licensing authority, on receipt of the application, licence and request shall, if satisfied that they are in order, cause the existing registration of the vehicle to be cancelled and shall register afresh, free of all charges incidental to registration, the particulars of the vehicle and assign to it an identification mark belonging to the current series and that identification mark shall be registered in respect of the vehicle ; and the licence shall be amended accordingly and returned to the applicant.

Cancellation and fresh registration to be reported to central registrar.

(6) Every such cancellation and fresh registration shall be reported to the central registrar by the licensing authority.

Reservation of identification mark.

(7) On application and payment of a fee of five pounds to a licensing authority, such licensing authority may reserve for an applicant a particular identification mark (not being one already assigned to a registered vehicle) belonging to the current series and the licensing authority shall, at the request of the applicant, and subject to the provisions of these Regulations, assign that particular identification mark to any vehicle of which he is the owner for the time being.

Definition. W.R.L.N. 166 of 1957.

(8) The expression "current series" in this regulation means the series of identification marks in use in the Region as from the 1st of August, 1957".

Amendments relating to fees. First Schedule.

3. The provisions of the principal Regulations mentioned in the First Column of the First Schedule to these Regulations shall be amended as specified in the Second Column of that Schedule.

New Schedule of licence fees. Second Schedule.

4. The Second Schedule to the principal Regulations is hereby deleted and the Second Schedule to these Regulations substituted therefor.

Minor amendments.

5. The principal Regulations are hereby amended by deleting the words "he", "him" and "his" wherever they refer to the licensing authority and inserting instead the words "it" or "its", as appropriate.

By His Excellency's Command,

S. O. BIOBAKU,  
Secretary to the Premier and Executive Council

Ibadan, 16th December, 1957.

FIRST SCHEDULE—(Regulation 3)

FIRST COLUMN <i>Provisions of the Road Traffic Regulations, 1947</i>	SECOND COLUMN <i>Amendments</i>
Regulation 4 (2) ... ..	Delete the word "five" and insert instead the word "twenty".
Regulation 6 (2) ... ..	Delete the words "two shillings and sixpence" and insert instead the words "five shillings".
Regulation 19 (7) (ii) ... ..	Delete the word "five" and insert instead the word "ten".
Regulation 21 (1) (e) ... ..	Delete the words "two shillings and sixpence" and insert instead the words "ten shillings".
Regulation 31 (5) .... ..	Delete the word "ten" and insert instead the word "twenty".

