



Chief Federal Adviser of Education
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Supplement to the Western Regional Gazette No. 7, Vol. 3, 18th February, 1954—Part A

Assented to in Her Majesty's name this 11th day of February, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

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(L.S.)

No. 1



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIR HUGO FRANK MARSHALL, K.B.E., C.M.G.
Lieutenant-Governor, Western Region

A LAW TO MAKE PROVISION FOR THE TAXATION OF BETS ON AUTHORISED
TOTALISATORS AND ON CONTRIBUTIONS OR SUBSCRIPTIONS TOWARDS
AUTHORISED LOTTERIES OR SWEEPSTAKES. Title.

[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 Western Region Betting Duty
Law, 1954, and shall come into operation on a date to be fixed by the
Lieutenant-Governor by notice in the Regional Gazette. Short title.

2. In this Law :— Interpretation.

“approved race meeting” means a race meeting approved under
the proviso to section 239 of the Criminal Code by the Superintendent
of Police in charge of Police in the Colony or Province as the case
may be ; Cap. 42.

Cap. 42.

"authorised race club" means a race club to which the Governor has extended the provisions of section 240D of the Criminal Code ;

"Financial Secretary" means the Financial Secretary of the Western Region or any Minister to whom the Lieutenant-Governor may assign the responsibility for finance in the Western Region ;

"lottery" includes any game, method or device whereby money or money's worth is distributed or allotted in any manner depending upon or to be determined by chance or lot ;

Cap. 42.

"recognised race club" means a race club recognised by the Government under the proviso to section 239 of the Criminal Code ;

"totalisator" means and includes the instrument, machine, or contrivance, commonly known as the totalisator, and any other instrument, machine, or contrivance of a like nature, or any scheme for enabling any number of persons to make bets with one another on the like principles ;

Cap. 172.

"superior police officer" has the meaning assigned to that expression in the Police Ordinance.

Duty on totalisator bets.

3. On every bet made on any totalisator run by a recognised race club at an approved race meeting, there shall be charged a duty equal to five *per centum* of the amount of the stake money paid.

Duty on lot., or s. ref. take monies subscribed.

4. On every lottery or sweepstake ticket sold and all monies otherwise invested in a lottery or sweepstake organised and controlled by an authorised race club, there shall be charged a duty of ten *per centum* of the amount paid, contributed or subscribed.

Allocation of chances by ticket in lottery or sweepstake.

5. In the case of lotteries or sweepstakes organised and controlled by an authorised race club the chances shall be allocated by numbered tickets in such manner as the Financial Secretary may prescribe :

Provided that in the case of sweeps of the Calcutta Sweep type involving a system of bidding for chances, in addition to such numbered tickets, the Financial Secretary may prescribe the records to be kept for the purpose of showing the total sums invested.

Responsibility for payment of duty.

6. The secretary, treasurer and every member of the Committee of Management of a recognised or authorised race club, as well as the club itself if a corporation, shall be jointly and severally liable for the payment of duty under this law.

Supplemental provision as to duty.

7. (1) The Lieutenant-Governor in Council may make regulations for securing the payment of duty and generally for carrying the provisions of this Law into effect.

(2) The regulations made under sub-section (1) may provide that any person who acts in contravention thereof or fails to comply with any of the said regulations, shall be liable on conviction to a fine of one hundred pounds or imprisonment for six months.

(3) Any superior police officer or any public officer duly authorised by the Financial Secretary for the purpose may enter the totalisator or any other premises of an authorised or recognised race club at any reasonable time with a view to ascertaining whether the provisions of this Law or any regulations made thereunder concerning payment of duty are being complied with.

(4) Any person who obstructs any superior police officer or any public officer so authorised shall be liable on conviction to a fine of twenty pounds or imprisonment for one month.

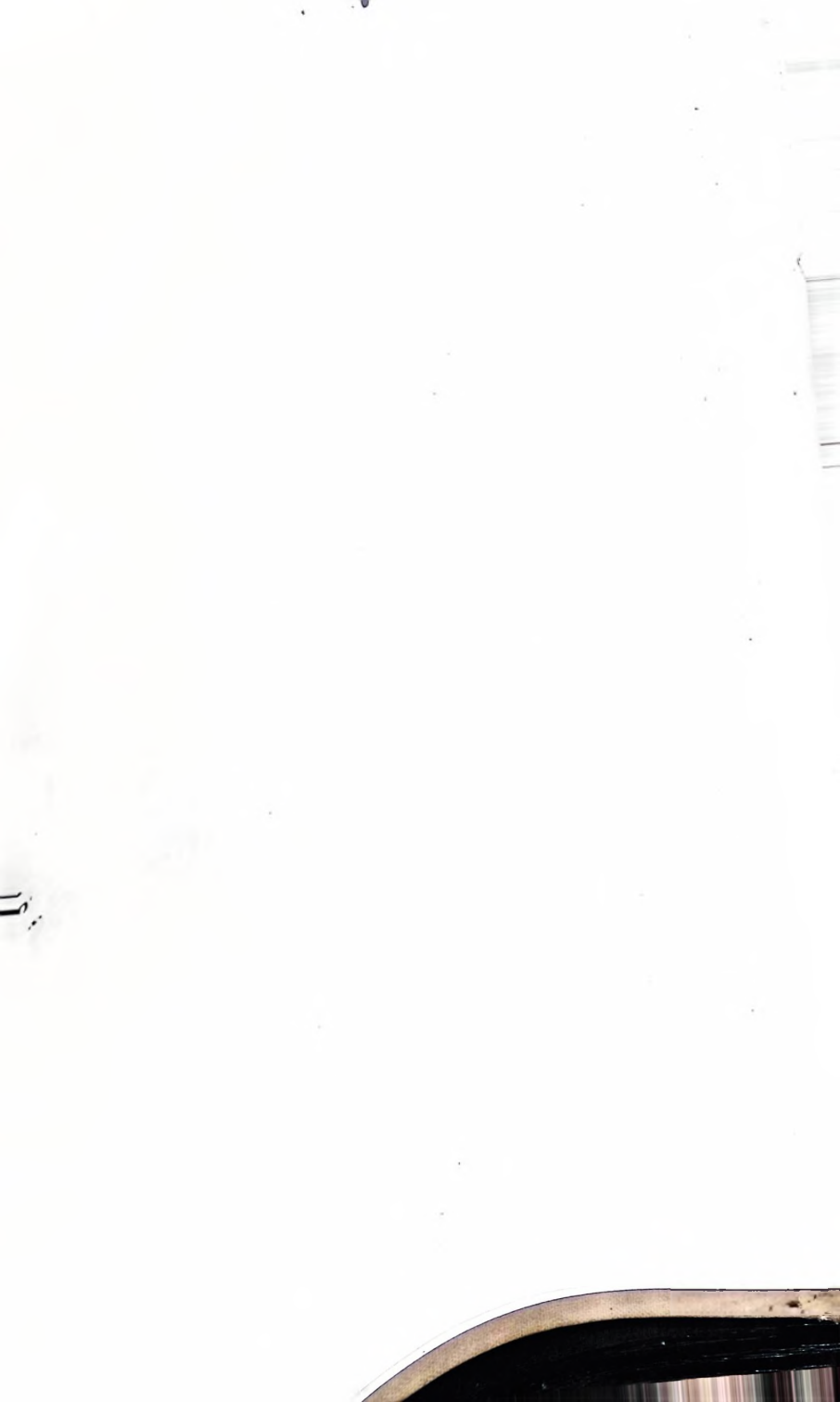
8. Any person who acts in contravention of or fails to comply with any provision made in sections 5 and 6 of this Law shall be liable on conviction to a fine of one hundred pounds or imprisonment for six months. Penalty.

9. (1) Any person who practices or is concerned in any fraudulent act, contrivance or device, not specially provided for by law, with intent to avoid payment of duty shall be liable on conviction to a fine of one hundred pounds or imprisonment for six months. Penalty for frauds.

(2) Any person who in connection with betting duty, makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular, or, with intent to deceive, produces or makes use of any books, accounts, record, return or other document which is false in a material particular or is knowingly concerned in, or in the taking of steps with a view to, the fraudulent evasion of betting duty, shall be liable on conviction to a fine of one hundred pounds or imprisonment for six months.

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.

W. A. SALAMI,
Acting Clerk of the Western House of Assembly



Assented to in Her Majesty's name this 11th day of February, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

(L.S.)

No. 2



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR HUGO FRANK MARSHALL, K.B.E., C.M.G.
Lieutenant-Governor, Western Region

A LAW TO AMEND THE WESTERN REGION LOCAL GOVERNMENT
LAW, 1952.

[

] 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 Western Region Local Short title.
Government (Amendment) (No. 2) Law, 1953.

2. Section 71 of the Western Region Local Government Law, Amends
1952, hereinafter referred to as the principal Law, is hereby section 71 of
amended :— Law No. 21
of 1953.

(a) by deleting paragraph (81a) thereof and substituting the following therefor :—

“(81a) regulate native marriages (including dowry) and the dissolution of such marriages”; and

(b) by inserting immediately after paragraph (82) the following new paragraph :—

“(83) provide for the building, equipping or maintenance of rural postal agencies and rural postal services which have been approved by the Director of Posts and Telegraphs”.

3. Section 77 of the principal law is hereby amended by deleting the definition of “land” where it occurs in sub-section 2 thereof and substituting the following therefor :—

““land” means all land including everything attached to the earth in the Western Region other than land which is for the time being—

(a) freehold land the tenure of which is regulated exclusively by English law ;

(b) Crown land ;

(c) land subject to any interest conferred by any instrument approved under the provisions of the Native Lands Acquisition Ordinance or any Ordinance or Law replacing those provisions ;

(d) land vested for any interest in a body corporate which is established by any Ordinance or Law and is empowered to acquire and hold land ;

(e) land which is the subject of a right of occupancy granted by the Governor in accordance with the Land and Native Rights Ordinance ;

(f) land within the area of a planning authority established under the provisions of the Nigeria Town and Country Planning Ordinance, with the provisions of any Ordinance or Law replacing those provisions ;

(g) land held under a title which has been registered in accordance with the provisions of the Registration of Titles Ordinance, with the provisions of any Ordinance or Law replacing those provisions ;

60. Section 60 of the principal law is hereby amended by deleting the definition of “the council and” where this occurs in the

5. Section 162 of the principal law is hereby amended by substituting a colon for the fullstop and adding the following proviso :—

Amends
section 162 of
Law No. 1
of 1953.

“Provided that any powers, privileges and duties attaching to a member of a force by virtue of this section, shall attach to such member only when he is within the area of jurisdiction of the council responsible for such force”.

6. Section 174 of the principal Law is hereby amended by deleting the expression “Inspector-General” where it occurs twice in sub-section 1 thereof and substituting therefor the word “Director”.

Amends
section 174 of
Law No. 1
of 1953.

—————

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.

FRANCIS MCGRATH,
Clerk of the Western House of Assembly



Assented to in Her Majesty's name this 22nd day of February, 1954.

H. F. MARSHALL,
*Lieutenant-Governor,
Western Region*

(L.S.)

No. 3



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIR HUGO FRANK MARSHALL, K.B.E., C.M.G.
Lieutenant-Governor, Western Region

A LAW TO MAKE PROVISION FOR REGULATING THE PLANTING AND GROWTH OF AGRICULTURAL CROPS, FOR THE CONTROL OF PLANT DISEASES AND PESTS AND FOR MATTERS CONNECTED THEREWITH.

[Date of commencement.

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

1. This Law may be cited as the Western Region Agricultural Law, 1953, and shall come into operation on a day to be appointed by the Lieutenant-Governor by notice in the Regional Gazette.] Short title and commencement.

2. In this Law, unless the context otherwise requires—
“the Board” means the Board of Agriculture established under section 4;

“chief” includes Head Chief;

“examiner” means any officer of the Agricultural Department not below the rank of Agricultural Assistant and any person appointed as an examiner under the provisions of this Law or of any regulations made hereunder;

“noxious weed” means any weed harmful to man or beast or injurious to agricultural crops ;

“pest” means any insect or other animal injurious to agricultural or horticultural crops ;

“plant” means any plant or parts of a plant such as cuttings, suckers, bulbs, tubers, roots, haulms and fruit, but does not include the true seed unless this is expressly stated and does not include the manufactured or processed products of plants ;

“plant disease” means any disease caused by fungus, bacterium, virus, or any other organism injurious to agricultural or horticultural crops ;

“the Minister” means a Minister charged by directions given under section 141 of the Nigeria (Constitution) Order in Council, 1951, with responsibility for Agriculture and Natural Resources ;

“producer” means a person engaged in the cultivation, collection or preparation of agricultural produce.

App^ointment
of examiners.

3. The Lieutenant-Governor may appoint fit persons to be examiners for the purposes of this Law.

Board of
Agriculture.

4. (1) There shall be established a Board of Agriculture to advise the Minister upon—

- (a) all matters pertaining to agriculture ;
- (b) the framing of regulations under this Law ;
- (c) the carrying out of the provisions of this Law or any regulations made thereunder ;
- (d) any matter concerning the general purposes of this Law and
- (e) any matter referred to it by the Minister.

(2) The Minister shall consider any advice received from the Board, but shall not be bound to accept it.

(3) The Board shall be composed as follows :—

The Director of Agriculture, who shall be Chairman ;

The Principal Veterinary Officer ;

The Chief Conservator of Forests ;

The Registrar of Co-operative Societies ;

Two members appointed by the chiefs being Members of the Western House of Chiefs ;

Two members appointed by the Elected and Special Members of the Western House of Assembly ;

Six members to represent producers appointed by the Lieutenant-Governor.

5. (1) A member of the Board other than an *ex-officio* member (in this section referred to as an unofficial member) may at any time by a resignation under his hand addressed to the Minister resign his membership, but save as aforesaid and subject to the other provisions of this section, an unofficial member shall hold office for three years from the date of his appointment.

Tenure and
vacation of
office by
unofficial
members.

(2) An unofficial member who has ceased to be a member shall be eligible for re-appointment.

(3) If the Lieutenant-Governor be satisfied that an unofficial member—

(a) has been absent from two consecutive meetings of the Board without the permission of the Board ;

(b) is incapacitated by physical or mental illness ; or

(c) is otherwise unable or unfit to discharge the functions of a member

the Lieutenant-Governor may declare his office as a member of the Board vacant and shall notify the fact in such manner as he thinks fit, and thereupon the office shall become vacant.

(4) Where an unofficial member is temporarily incapacitated by illness or is temporarily absent from Nigeria, the Lieutenant-Governor may appoint any person (not being a public officer) to be temporarily a member of the Board during such incapacity or absence.

6. (1) Subject to the provisions of this section the Board may make Standing Orders providing for the proper conduct of its business.

Meetings and
proceedings
of the Board.

(2) Meetings of the Board shall be convened by the Director of Agriculture but any six members may by notice in writing signed by them request the Director of Agriculture to convene a special meeting of the Board for the purpose specified in such notice and, upon receipt of such notice, the Director of Agriculture shall convene a special meeting for such purposes at the earliest convenient date.

(3) Where upon any special occasion the Board desires to obtain the advice of any person upon any particular matter, the Board may co-opt such person to be a member for such meeting or meetings as may be required ; and any such person shall, whilst so co-opted, have all the rights and privileges of a member of the Board, save that he shall not be entitled to vote on any question.

(4) All questions proposed for decision shall be determined by the majority of the votes of the members present and voting.

(5) The Chairman shall have an original vote and also, if upon any question the votes are equally divided, a casting vote.

(6) At a meeting of the Board six members and the Chairman shall form a quorum.

(7) The Board shall not be disqualified for the transaction of business by reason only of any vacancy among the members.

7. (1) The Lieutenant-Governor may make regulations :

(a) for the control of diseases, pests or weeds, for prohibiting temporarily the growth or cultivation of any plant or crop during specified periods of the year, for prohibiting the sowing or planting of any kind of plant, for specifying any particular kind of seed or plant, as the only kind permitted to be used, or for controlling the distribution of any kind of seed or planting material ;

(b) for maintaining and improving the quality of agricultural or horticultural plants, fruit-trees or crops, and for purposes incidental to such maintenance or improvement, including in the event of disease or pest infestation the destruction or the replacement of any plant or tree and the destruction of any crop or part thereof ;

(c) prescribing the measures to be taken for conserving the soil and combating soil erosion ;

(d) for prohibiting, restricting or controlling the distribution and use of artificial fertilisers and for the marketing, chemical composition or quality thereof ;

(e) prescribing penalties, for offences against any regulation made hereunder not exceeding a fine of one hundred pounds or imprisonment for six months or both ;

(f) specifying fees, expenses or charges to be paid in respect of any matter or act for which provision is made in any regulation ;

(g) generally for carrying into effect the provisions of this Law.

(2) Nothing in this Law shall be construed so as to make it obligatory for the Lieutenant-Governor to obtain or act on the advice of the Board, before making regulations under sub-section 1.

8. (1) Where plants, seeds, soil, containers, straw and other packing materials, or any other similar goods or things are on importation found, or suspected, to be infected with any plant disease or pest, an officer of the Agricultural Department not below the rank of Agricultural Officer may order them to be destroyed or treated to his satisfaction for the removal of the plant disease or pest.

Lieutenant-Governor empowered to make regulations.

(2) Where any plants or crops, whether growing or not, or any produce are found, or suspected, to be infected with any plant disease or pest, or where any noxious weed is found to be growing in any place—

(a) an officer of the Agricultural Department not below the rank of Deputy Director of Agriculture may make such order as he may deem necessary for the treatment of such plant disease, pest or noxious weed ; and

(b) upon the failure of the owner of the plants or crops to comply with any such order, the officer who made the order or any person authorised by him in that behalf, may, if such officer deems it necessary in order to prevent the spread of the plant disease, pest or noxious weed, enter upon any land or premises and carry out such measures as may be necessary. at the owner's expense.

9. For the purpose of carrying out his duties under this Law or any regulations made hereunder, any examiner shall have power to enter, at all times which are reasonable, any building or place in which he has reason to suppose that any plants, crops or parts thereof which are subject to regulations made under this Law are stored or grown and take samples of such produce.

Right of entry to take samples.

10. (1) An officer of the Agricultural Department not below the rank of Assistant Agricultural Officer may call upon any person to furnish him with any information he may reasonably require for the purpose of investigating any offence against this Law or any regulations made hereunder.

Furnishing of information.

(2) No person who obtains any information by virtue of this section shall, otherwise than in the execution of his duties under this Law, disclose that information except with the permission of the Lieutenant-Governor.

Offences.

11. (1) Any person who—

(a) hinders or molests any Agricultural Officer, or other person charged with any duties or powers under this Law or any regulations made hereunder, in the exercise of any of his duties or powers ;

(b) without lawful excuse, fails to comply with any order lawfully given under the provisions of this Law or of any regulations made hereunder ;

(c) without lawful excuse, fails to furnish any information lawfully demanded under the provisions of this Law or of any regulations made hereunder or furnishes information which he knows to be false in a material particular, or does not believe to be true,

shall be guilty of an offence, and shall be liable on summary conviction to a fine of two hundred pounds or to imprisonment for one year, or to both such fine and imprisonment.

(2) In any prosecution for an offence against this section, the onus of proving the existence of a lawful excuse shall lie on the person charged.

Prosecutions.

12. (1) No prosecution for any offence against this Law or any regulations made hereunder shall be commenced except with the consent of an officer of the Agricultural Department not below the rank of Cocoa Survey Officer.

(2) A prosecution for an offence against this Law or any regulations made hereunder shall be brought in the name of the Director of Agriculture and may be conducted by him or by an officer of the department not below the rank of Cocoa Survey Officer, and any prosecution so instituted shall be deemed *prima facie* to have been commenced with due consent.

Defence in civil and criminal proceedings.

13. Where any proceedings, whether civil or criminal, are brought against any public officer in respect of any act done in pursuance of any of the provisions of this Law or of any regulations made hereunder, it shall be a good defence to show that there was reasonable and probable cause for the act in respect of which such proceedings are brought.

Power to sue for fees.

14. Any expenses or fees due under the provisions of this Law or of any regulations made hereunder may be recovered by the Director of Agriculture as a civil debt.

Saving of regulations in force under Ordinance No. 37 of 1950.

15. The regulations in force under the provisions of the Agriculture Ordinance, 1950, shall remain in force until replaced by regulations made under the provisions of section 7 of this Law.

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.

FRANCIS MCGRATH,
Clerk of the Western House of Assembly

Supplement to the Western Regional Gazette No. 17, Vol. 3, 29th April, 1954—Part A

Assented to in Her Majesty's name this 22nd day of April, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

(L.S.)



No. 4

1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIR HUGO FRANK MARSHALL, K.B.E., C.M.G.
Lieutenant-Governor, Western Region

A LAW TO APPROPRIATE THE SUM OF SEVEN MILLION, SIX HUNDRED AND NINETY-FOUR THOUSAND, FOUR HUNDRED AND TWENTY POUNDS TO THE SERVICE OF THE WESTERN REGION FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-FIVE. Title.

[29th, April, 1954]

Date of commencement.

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

Enactment.

1. This Law may be cited as the 1954-55 Appropriation Law, 1954. Short title.

2. The Regional Treasurer may, on the warrant of the Lieutenant-Governor, pay out of the revenue and other funds of the Western Region during the year ending on the 31st day of March, 1955, any sums not exceeding in the whole the sum of seven million, six hundred and ninety-four thousand, four hundred and twenty pounds, being the total of the amounts set forth opposite Heads 301 to 333 in the Schedule hereto.

Expenditure of £7,694,420 authorised out of the revenue and funds of the Western Region, Schedule.

3. The said sums, in the whole not exceeding the sum of seven million, six hundred and ninety-four thousand, four hundred and twenty pounds, shall be appropriated to the purposes and in the manner expressed in the Schedule to this Law.

Appropriation of £7,694,420.

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, 1955, 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.

Balance unissued to lapse.

SCHEDULE

	£
301. Lieutenant-Governor	10,670
302. Executive Council	11,170
303. Ministry of Agriculture and Natural Resources	11,620
304. Agriculture	141,210
305. Forestry	97,530
306. Veterinary	26,340
307. Civil Secretary's Office	35,600
308. Administration	325,670
309. Police	662,800
310. Printing and Stationery	33,430
311. Public Relations	39,240
312. Ministry of Education	10,580
313. Education	1,817,570
314. Financial Secretary's Office	7,940
315. Treasury	52,120
316. Ministry of Public Health	10,330
317. Medical Services	888,420
318. Ministry of Lands	10,470
319. Land	33,120
320. Survey	50,810
321. Ministry of Local Development	11,980
322. Co-operative Societies	39,090
323. Social Welfare	32,070
324. Ministry of Local Government	22,800
325. Ministry of Public Works	11,070
326. Public Works	272,450
327. Public Works Recurrent : Maintenance Works	444,070
328. Public Works Recurrent : Maintenance Services	21,710
329. Public Works Extraordinary	306,770
330. Legislature	73,680
331. Miscellaneous	1,543,880
332. Public Debt	60,000
333. Subventions	578,210
Total	<u>£7,694,420</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.

W. A. SALAMI.

Acting Clerk of the Western House of Assembly

Assented to in Her Majesty's name this 5th day of July, 1954.

T. M. SHANKLAND,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 5



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

THOMAS MURRAY SHANKLAND

Officer Administering the Government of the Western Region

A LAW TO AMEND THE WESTERN REGION CO-OPERATIVE SOCIETIES
LAW, 1953. Title.

[22nd July, 1954] 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 Western Region Co-operative Short title.
Societies (Amendment) Law, 1954.

2. The Western Region Co-operative Societies Law, 1953, is Amends Law
No. 6 of 1953
by adding
new sections.
hereby amended by adding the following new sections immediately
after section 59 thereof :—

“60. All co-operative societies possessing a registered address Registered
Societies
deemed to be
registered
under this
Law. Cap. 39.
within the Western Region and registered under the Co-operative
Societies Ordinance shall be deemed to be registered under this
Law and subject to its provisions.

“61. (1) Nothing in this Law shall affect any Order in Council, Saving.
order, rule, regulation, appointment, conveyance, mortgage, deed
or agreement made, resolution passed, direction given, proceedings
taken, instrument issued or thing done, under the Co-operative

No. 5 of 1954 *Western Region Co-operative Societies (Amendment)*

- Cap. 39. Societies Ordinance but any such Order in Council, order, rule, regulation, appointment, conveyance, mortgage, deed, agreement, resolution, direction, proceeding, instrument or thing shall, if in force, at the commencement of this Law, continue in force, and so far as it could have been made, passed, given, taken, issued or done under this Law, shall have effect as if made, passed, given, taken, issued or done under this Law.
- Cap. 39. “(2) Any document referring to the Co-operative Societies Ordinance shall be construed as referring to the corresponding enactment of this Law.
- Cap. 39. “(3) Any register kept under the Co-operative Societies Ordinance shall be deemed part of the register to be kept under the corresponding provisions of this Law.
- Cap. 39. “(4) All funds and accounts constituted under this Law shall be deemed to be in continuation of the corresponding funds and accounts constituted under the Co-operative Societies Ordinance.
- Cap. 39. “(5) Nothing in this Law shall affect the incorporation of Co-operative Societies referred to in section 60.
- Cap. 39. “(6) Where any offence, being an offence for the continuance of which a penalty was provided, has been committed under the Co-operative Societies Ordinance, proceedings may be taken under this Law in respect of the continuance of the offence after the commencement of this Law, in the same manner as if the offence had been committed under the corresponding provisions of this Law”.

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.

W. A. SALAMI,
Acting Clerk of the Western House of Assembly

Supplement to the Western Regional Gazette No. 31, Vol. 3, 5th August, 1954—Part A

Assented to in Her Majesty's name this 16th day of July, 1954.

T. M. SHANKLAND,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 6



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

THOMAS MURRAY SHANKLAND

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-THREE.

[5th August, 1954.]

Date of
commence-
ment.

WHEREAS by the 1952-53 Appropriation Law, 1952, a sum not exceeding four million, six hundred and seventy-one thousand and seventy 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-three, to be applied and expended in the manner therein described and for the several services set forth in the Schedule thereto :

Preamble.
No. 1 of
1952.

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 1952-53 Supplementary Appropriation Law, 1954.

Additional expenditure for 1952-53 legalised.

Schedule to No. 1 of 1952.

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 1952-53 Appropriation Law, 1952.

SCHEDULE

Head of Expenditure

302. Lieutenant-Governor	£	2,123
303. Administration		7,083
305. Co-operative Societies		152
306. Education		93,146
312. Miscellaneous		111,259
314. Printing and Stationery		1,880
315. Public Relations		4,919
318. Public Works Recurrent : Maintenance Services ..		34,371
320. Secretariat		2,679
		£257,612
Total		£257,612

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.

W. A. SALAMI,

Acting Clerk of the Western House of Assembly





W.R.L.N. 1 of 1954

REGULATIONS made under THE WESTERN REGION
LOCAL GOVERNMENT LAW, 1952
THE WESTERN REGION (LOCAL GOVERNMENT) (ELECTIONS)
(AMENDMENT) REGULATIONS, 1953

In exercise of the powers conferred upon the Regional Authority by section 33 of the Western Region Local Government Law, 1952, the following Regulations are hereby made:—

1. These Regulations may be cited as the Western Region (Local Government) (Elections) (Amendment) Regulations, 1953. Short title.
2. Regulation 16 of the Western Region (Local Government) (Elections) Regulations, 1953, hereinafter called the principal regulations is hereby amended by adding the following new sub-regulation immediately after sub-regulation (2) thereof— Amendment of regulation 16, Regulations 1 of 1953.

“(3) A copy of the settled lists of voters shall be made available for inspection by members of the public during normal office hours at the office of the Registration Officer”.
3. Regulation 37 of the principal regulations is hereby amended by substituting a colon for the full stop in paragraph (a) thereof and adding thereto the following proviso— Amendment of regulation 37, Regulations 1 of 1953.

“Provided that the Returning Officer may give public notice that in respect of any person desiring to vote, production of a tax receipt, rate receipt or other specified document shall be regarded as *prima facie* evidence of identity or domicile for the purpose of satisfying the Polling Officer that such person has the right to vote”.
4. Regulation 67 of the principal regulations is hereby amended by substituting a colon for the full stop in paragraph (a) thereof and adding thereto the following proviso— Amendment of regulation 67, Regulations 1 of 1953.

“Provided that the Returning Officer may give public notice that in respect of any person desiring to vote, production of a tax receipt, rate receipt or other specified document shall be regarded as *prima facie* evidence of identity or domicile for the purpose of satisfying the Polling Officer that such person has the right to vote”.
5. The principal regulations are hereby amended by the insertion of the following new regulation immediately after regulation 97 thereof : Insertion of new regulation 97A.

“97A. Any candidate may withdraw from his candidature by notice in writing signed by him, and delivered by himself or one of the persons nominating him to the Returning Officer not later than one o'clock in the afternoon of the fourth day before the day of election”.
6. The schedule to the principal regulations is hereby amended by deleting the word “Returning” in the last line of Form A and substituting therefor the word “Registration”. Withdrawal of candidates. Amendment of Form A. Schedule to Regulations 1 of 1953.

MADE at Ibadan this 23rd day of December, 1953.

T. N. ROSSER,
Clerk to the Executive Council

W.R.L.N. 2 of 1954

ORDER made under THE FORESTRY ORDINANCE (Cap. 75)

IFE DISTRICT NATIVE AUTHORITY FOREST RESERVE
(AMENDMENT) ORDER, 1953

In exercise of the powers conferred upon native authorities by section 26 of the Forestry Ordinance, it is hereby ordered by the Ife District Native Authority with the approval of the Resident, Oyo Province, to whom the power of approval has been delegated as follows :—

1. This Order may be cited as the Ife District Native Authority Forest Reserve (Amendment) Order, 1953.

Order No. 80 of 1941. 2. The Ife Native Authority Forest Reserve Order, 1941, is hereby amended by deleting the First and Second Schedules thereto and substituting the following First and Second Schedules therefor :—

FIRST SCHEDULE

All that piece of land containing fifty-three decimal two square miles or thereabouts situated in the south-west part of the Ife Division of Oyo Province and bounded as follows :—

Starting from beacon I.N.A.79, situated at the point where the left bank of the Shasha River is crossed by the Ife-Ijebu Ode footpath (approximate co-ordinates : 4°20'E, 7°4'N, Nigeria Survey, 1 : 500,000, Sheet 9 of 1949), by the left bank of the Shasha River upstream in a general northerly direction for a distance of about 14 miles, 1 furlong to beacon I.N.A.80, situated on the left bank of the Shasha River where it is joined by the left bank of the Oyere River ; thence by the left bank of the Oyere River upstream in a general north-easterly direction for a distance of about 7½ miles to beacon I.N.A.1, situated on the left bank of the Oyere River at the point where it is joined by the left bank of the Amu River ; thence by the left bank of the Amu River upstream in a general south-easterly direction for a distance of about 2½ miles to beacon I.N.A.2, situated at the point where the left bank of the Amu River is crossed by the right hand side of the Ife-Banmeke 1 footpath ; thence by the right hand side of the Ife-Banmeke 1 footpath, which is pillared at 660 feet intervals with numbered beacons, I.N.A.3, 4, 5, in a general southerly direction for a distance of 2,766 feet to beacon I.N.A.6 ; thence by a straight line cut on a bearing of 232 degrees for a distance of 1,266 feet to beacon I.N.A.7 ; thence by a straight line cut on a bearing of 142 degrees for a distance of 1,590 feet to beacon I.N.A.8 ; thence by a straight line cut on a bearing of 52 degrees for a distance of 1,512 feet to beacon I.N.A.9, situated on the right hand side of the footpath from Banmeke 1 to the Ife-Ijebu Ode footpath ; thence by the right hand side of the footpath from Banmeke 1 to the Ife-Ijebu Ode footpath, which is pillared at 660 feet intervals with numbered beacons, I.N.A.10-13, in a general south-easterly direction for a distance of 2,996 feet to beacon I.N.A.14, situated at the junction of the footpath from Banmeke 1 to the Ife-Ijebu Ode footpath and the Ife-Ijebu Ode footpath : thence by the right hand side of the Ife-Ijebu Ode footpath which is pillared at 660 feet intervals with numbered beacons, I.N.A.15-77, in a general southerly direction for a distance of 8 miles 567 feet to beacon I.N.A.78, situated at the point where the Ife-Ijebu Ode footpath is met by the northern boundary of the Shasha Native Administration Forest Reserve ; thence continuing by the right hand side of the Ife-Ijebu Ode footpath, which is pillared at 1,320 feet intervals, in a general south-westerly direction for a distance of 1 mile 546 feet to beacon E.34A ; thence continuing by the right hand side of the Ife-Ijebu Ode footpath on a bearing of 162 degrees for a distance of

205 feet to beacon E.35; thence continuing by the right hand side of the Ife-Ijebu Ode footpath on a bearing of 252 degrees for a distance of 150 feet to beacon E.35A; thence continuing by the right hand side of the Ife-Ijebu Ode footpath, which is pillared at 1,320 feet intervals, in a general southerly and then westerly direction for a distance of 9 miles 2,576 feet to the starting point.

All distances 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 months of December 1951 and January 1952.

All beacons are concrete pillars.

SECOND SCHEDULE

1. *Rights to reside.*

The holders of farming rights have the right to reside within their respective farming areas as described in Part 2 of this Schedule.

Those persons mentioned in Part 5 of this Schedule as having the right to hunt and fish, have the right to reside temporarily within the reserve for the purpose of the enjoyment of such rights in their respective camps, but not to farm or till the soil.

2. *Rights to farm.*

The following persons and their agents, together with such successors as may be recognised by the Native Authority of Ife have the right to farm within their respective demarcated areas as follows:—

(i) To Arigbode and his successors, an area of nine decimal four acres or thereabouts of land known as Aba Salami Ibadan in the north-western part of the reserve and bounded as follows:—

Starting from beacon E.5, situated on the left bank of the Oyere River at a distance of 4 miles 990 feet upstream from beacon I.N.A.80, by a straight line cut on a bearing of 119 degrees for a distance of 197 feet to beacon E.6; thence by a straight line cut on a bearing of 211 degrees for a distance of 1,012 feet to beacon E.7; thence by a straight line cut on a bearing of 300 degrees for a distance of 668 feet to beacon E.8, situated on the left bank of the Oyere River; thence by the left bank of the Oyere River upstream in a general north-easterly direction for a distance of about 1,250 feet to the starting point.

(ii) To Ogunleye and his successors, an area of eight decimal six acres or thereabouts of land known as Aba Ale Ladewa in the north-western part of the reserve and bounded as follows:—

Starting from beacon E.1, situated on the left bank of the Oyere River at a distance of 2 miles 295 feet upstream from beacon I.N.A.80, by a straight line cut on a bearing of 106 degrees for a distance of 231 feet to beacon E.2; thence by a straight line cut on a bearing of 196 degrees for a distance of 1,155 feet to beacon E.3; thence by a straight line cut on a bearing of 286 degrees for a distance of 366 feet to beacon E.4 situated on the left bank of the Oyere River; thence by the left bank of the Oyere River upstream in a general north-easterly direction for a distance of about 1,170 feet to the starting point.

(iii) To Ogunleye and his successors, an area of twenty-five decimal six acres or thereabouts of land known as Aba Ogunesan, in the north-western part of the reserve and bounded as follows:—

Starting from beacon E.13, situated at the point on the footpath from Aba Ale Ladewa to Banmeke I at a distance of 1 mile 114 feet from Aba Ale Ladewa, by a straight line cut on a bearing of 261 degrees for a distance of 226 feet to beacon E.9; thence by a straight line cut on a bearing of 351 degrees for a distance of 1,056 feet to beacon E.10; thence by a straight line cut on a bearing of 81 degrees for a distance of 1,056 feet to beacon E.11; thence by a straight line cut on a bearing of 171 degrees for a distance of 1,077 feet to beacon E.12; thence by a straight line cut on a bearing of 261 degrees for a distance of 806 feet to the starting point.

(iv) To Ogunleye and his successors, an area of twenty-two acres or thereabouts of land known as Aba Abegi in the south-eastern part of the reserve and bounded as follows:—

Starting from beacon E.34A, situated on the Ife-Ijebu Ode footpath at a distance of 1 mile 546 feet in a general south-westerly direction from beacon I.N.A.78, by the right hand side of the Ife-Ijebu Ode footpath on a bearing of 162 degrees for a distance of 205 feet to beacon E.35; thence continuing by the right hand side of the Ife-Ijebu Ode footpath on a bearing of 252 degrees for a distance of 150 feet to beacon E.35A; thence by a straight line cut on a bearing of 252 degrees for a distance of 1,325 feet to beacon E.36; thence by a straight line cut on a bearing of 342 degrees for a distance of 660 feet to beacon E.37; thence by a straight line cut on a bearing of 72 degrees for a distance of 1,475 feet to beacon E.34; thence by a straight line cut on a bearing of 162 degrees for a distance of 455 feet to the starting point.

(v) To Ogundele of Apoje and his successors, an area of ten decimal one acres or thereabouts of land known as Aba Ogundele's farm, in the south-eastern part of the reserve and bounded as follows:—

Starting from beacon E.38, situated at a point on the Ife-Ijebu Ode footpath a distance of 3 miles 367 feet in a general southerly direction from beacon I.N.A.78, by the right hand side of the Ife-Ijebu Ode footpath in a general southerly direction for a distance of 885 feet to beacon E.41; thence by a straight line cut on a bearing of 292 degrees for a distance of 459 feet to beacon E.42; thence by a straight line cut on a bearing of 22 degrees for a distance of 820 feet to beacon E.43; thence by a straight line cut on a bearing of 112 degrees for a distance of 534 feet to the starting point.

(vi) To Laroka and his successors, an area of two decimal six acres or thereabouts of land known as Aba Laroka I, in the southern part of the reserve and bounded as follows:—

Starting from beacon E.49, situated at a point on the right hand side of the Ife-Ijebu Ode footpath at a distance of 2 miles 4,230 feet in a general easterly direction from beacon I.N.A.79, by a straight line cut on a bearing of 32 degrees for a distance of 396 feet to beacon E.50; thence by a straight line cut on a bearing of 122 degrees for a distance of 264 feet to beacon E.51; thence by a straight line cut on a bearing of 212 degrees for a distance of 475 feet to beacon E.48, situated on the Ife-Ijebu Ode footpath; thence by the right hand side of the Ife-Ijebu Ode footpath in a general westerly direction for a distance of 280 feet to the starting point.

(vii) To Laroka and his successors, an area of eleven decimal three acres or thereabouts of land known as Aba Laroka II, in the southern part of the reserve and bounded as follows:—

Starting from beacon E.45, situated at a point on the right hand side of the Ife-Ijebu Ode footpath at a distance of 3 miles 480 feet in a general easterly direction from beacon I.N.A.79, by a straight line cut on a bearing of 352 degrees for a distance

of 330 feet to beacon E.46; thence by a straight line cut on a bearing of 82 degrees for a distance of 1,122 feet to beacon E.47; thence by a straight line cut on a bearing of 172 degrees for a distance of 482 feet to beacon E.44 situated on the Ife-Ijebu Ode footpath; thence by the right hand side of the Ife-Ijebu Ode footpath in a general westerly direction for a distance of 1,160 feet to the starting point.

(viii) To Laroka and his successors, an area of four decimal three acres or thereabouts of land known as Aba Laroka III, in the southern part of the reserve and bounded as follows:—

Starting from beacon E.53, situated at a point on the right hand side of the Ife-Ijebu Ode footpath at a distance of 2 miles 1,923 feet in a general easterly direction from beacon I.N.A.79, by a straight line cut on a bearing of 351 degrees for a distance of 472 feet to beacon E.54; thence by a straight line cut on a bearing of 81 degrees for a distance of 545 feet to beacon E.55; thence by a straight line cut on a bearing of 171 degrees for a distance of 235 feet to beacon E.52, situated on the Ife-Ijebu Ode footpath; thence by the right hand side of the Ife-Ijebu Ode footpath in a general westerly direction for a distance of 630 feet to the starting point.

(ix) To Ojo of Awbada and his successors, an area of fifty-one decimal eight acres or thereabouts of land known as Ojo's farm, in the south-western part of the reserve and bounded as follows:—

Starting from beacon I.N.A.79, situated on the left bank of the Shasha River by the left bank of the Shasha River upstream for a distance of about 1,200 feet to beacon E.58; thence by a straight line cut on a bearing of 82 degrees for a distance of 2,304 feet to beacon E.59; thence by a straight line cut on a bearing of 202 degrees for a distance of 2,006 feet to beacon E.56, situated on the Ife-Ijebu Ode footpath; thence by the right hand side of the Ife-Ijebu Ode footpath in a general north-westerly direction for a distance of 1,400 feet to the starting point.

(x) To Yekere and his successors, an area of one decimal three acres or thereabouts of land known as Aba Pabi Ekun in the eastern part of the reserve and bounded as follows:—

Starting from beacon E.30, situated at a point on the Olumu, Aba Pabi Ekun, Araromi footpath a distance of 3,776 feet in a general south-westerly direction from the point where the path from Olumu to Araromi meets the eastern boundary of the reserve, by a straight line cut on a bearing of 237 degrees for a distance of 191 feet to beacon E.31; thence by a straight line cut on a bearing of 317 degrees for a distance of 300 feet to beacon E.32; thence by a straight line cut on a bearing of 47 degrees for a distance of 190 feet to beacon E.33; thence by a straight line cut on a bearing of 137 degrees for a distance of 300 feet to the starting point.

(xi) To Jegede and his successors, an area of five decimal four acres or thereabouts of land known as Aba Jegede in the north-eastern part of the reserve and bounded as follows:—

Starting from beacon E.26, situated at a point on the Olumu, Aba Jegede, Araromi footpath a distance of 2,293 feet in a general westerly direction from the point where the Olumu, Aba Jegede, Araromi footpath crosses the eastern boundary of the reserve, by a straight line cut on a bearing of 182 degrees for a distance of 594 feet to beacon E.27; thence by a straight line cut on a bearing of 272 degrees for a distance of 396 feet to beacon E.28; thence by a straight line cut on a bearing of 2 degrees for a distance of 594 feet to beacon E.29; thence by a straight line cut on a bearing of 92 degrees for a distance of 396 feet to the starting point.

(xii) To Jegede and his successors, an area of three decimal six acres or thereabouts of land known as Aba Banmeke II, in the northern part of the reserve and bounded as follows:—

Starting from beacon E.22, situated at a point on the Aba Banmeke I, Aba Banmeke II, Aba Ogunesan footpath a distance of 1 mile 4,522 feet in a general westerly direction from beacon I.N.A.8 on the eastern boundary of the reserve, by a straight line cut on a bearing of 114 degrees for a distance of 405 feet to beacon E.23; thence by a straight line cut on a bearing of 204 degrees for a distance of 405 feet to beacon E.24; thence by a straight line cut on a bearing of 294 degrees for a distance of 405 feet to beacon E.25; thence by a straight line cut on a bearing of 24 degrees for a distance of 405 feet to the starting point.

(xiii) To Jegede and his successors, an area of four decimal five acres or thereabouts of land known as Aba Banmeke III, in the northern part of the reserve and bounded as follows:—

Starting from beacon E.18, situated at a point on the Amu Deyi to Banmeke III footpath a distance of 1 mile 211 feet in a general south-westerly direction from the point where the footpath crosses the left bank of the Amu River, by a straight line cut on a bearing of 105 degrees for a distance of 330 feet to beacon E.19; thence by a straight line cut on a bearing of 195 degrees for a distance of 594 feet to beacon E.20; thence by a straight line cut on a bearing of 285 degrees for a distance of 330 feet to beacon E.21; thence by a straight line cut on a bearing of 15 degrees for a distance of 594 feet to the starting point.

(xiv) To Emanuel Lode and his successors, an area of thirty-five decimal seven acres or thereabouts of land known as Amu Deyi (Gbesa) in the northern part of the reserve and bounded as follows:—

Starting from beacon E.14, situated on the left bank of the Amu River at a distance of about $\frac{1}{2}$ mile upstream in a general south-easterly direction from beacon I.N.A.1. by a straight line cut on a bearing of 262 degrees for a distance of 990 feet to beacon E.15; thence by a straight line cut on a bearing of 322 degrees for a distance of 1,056 feet to beacon E.16; thence by a straight line cut on a bearing of 52 degrees for a distance of 1,320 feet to beacon E.17; thence by the left bank of the Amu River upstream in a general south-easterly direction to the starting point.

3. Rights to minor forest produce.

All holders of rights to hunt, farm, fish or reside in the reserve have the right to take what firewood, bush ropes, fruits, honey, tortoises, snails and other minor forest produce they require for their immediate needs during the exercise of their rights but not for sale or barter and provided they in no way interfere with any silvicultural operations in progress in the reserve.

All holders of the rights to hunt, farm, fish, or reside in the reserve have the right to take such oil palm produce for their own use or for sale as they may be by custom entitled, provided it is not the produce of oil palms planted or tended by the Native Administration or the Forest Department acting for the Native Administration, and provided that their right in no way interferes with any silvicultural operations in the reserve.

4. Rights of way.

All holders of rights to hunt, farm, fish or reside have the right of way along all paths necessary for the enjoyment of such rights provided that paths may be diverted when the management of the reserve makes this desirable.

5. Rights to hunt and fish.

The following persons have the right to hunt and fish within the reserve subject to Native Law and Custom and the approval of the Native Authority who may limit the number of successors to the original right holders in the interest of the maintenance of the supply of game and fish. These persons may use the following camps respectively:—

Ogunleye and those of his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camps named.

Aba Ale Ladewa, Aba Ogunesan, Aba Abegi, Aba Ifosho, Aba Ojebade, Aba Abe Ipa, Aba Orogudu, Aba Pelu, Aba Majashan, Aba Onigbin, Aba Ogundele.

Arigbede and his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camps named.

Aba Salami Ibadan, Aba Ajari.

Jegede and his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camps named.

Aba Banmeke I, Aba Banmeke II, Aba Banmeke III, Aba Jegede.

Yekere and his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camps named.

Aba Ajegudo, Aba Detipe Yekere, Aba Pabi-Ekun.

Laroka and his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camp named.

Aba Laroka I.

Ashipa and his successors who are members of the hunters guild of Ile-Ife and recognised by the heads of that guild as successors to the camp named.

Aba Ologede.

In addition to the above, Emanuel Lode who occupies the Aba Amu Deyi (Gbesa) on the banks of the Amu River outside the reserve and those of his successors who are members of the Ife Hunting Guild and recognised by the heads of that Guild as his successors have the right to hunt and to fish within the reserve.

6. *Rights to water.*

All holders of rights to hunt, fish or reside have the right of access to what water they require for the exercise of their rights.

MADE by the Ife District Native Authority this 1st day of October, 1953.

ADEREMI, *Oni of Ife*

CHIEF MAKINDE, <i>Obalufe</i>	X
CHIEF AWOTIDE, <i>Lowa</i>	X
	Marks

E. T. LATUNDE, *Councillor*

E. T. LADIPO, *Councillor*
for Ife District Native Authority

Witness to marks :

M. A. FABUNMI,
Administration Secretary

Signified in accordance with the Ife District Native Authority Standing Rules, 1949, dated 14th December, 1949.

APPROVED this 15th day of October, 1953.

A. R. A. DE GARSTON,
Acting Resident, Oyo Province

W.R.L.N. 3 of 1954

BYE-LAWS made under *THE LIQUOR ORDINANCE*
(Cap. 114)THE OTTA DISTRICT NATIVE AUTHORITY
(LIQUOR LICENSING) BYE-LAWS, 1952

In exercise of the powers conferred upon native authorities by section 22 of the Liquor Ordinance the following Bye-laws have been made by the Otta District Native Authority with the concurrence of the Egba Divisional Native Authority to which it is subordinate and with the approval of the Governor.

1. These Bye-laws may be cited as the Otta District Native Authority (Liquor Licensing) Bye-Laws, 1952 and shall apply to the area of jurisdiction of the Otta District Native Authority in the Egba Division of the Abeokuta Province.

Definitions. 2. In these Bye-laws, "Native Authority" means the Otta District Native Authority.

Prohibition of sale of intoxicating liquor except under licence. 3. Any person who shall sell intoxicating liquor to any person except under a licence authorising such sale, shall be guilty of an offence and liable on conviction to a fine of fifty pounds.

Appointment of Licensing Officer. 4. The President of the Otta Grade "B" Native Court shall be the Licensing Officer for the purpose of these bye-laws.

Licences authorising the sale of liquor. 5. Licences of the several descriptions following, authorising the sale of intoxicating liquor subject to the provisions of these Bye-laws, may be issued by the Licensing Officer :—

- (i) A wine and beer off licence ;
- (ii) A wine and beer on licence ;
- (iii) A general wholesale Liquor licence ;
- (iv) A general retail liquor licence ;
- (v) A hotel liquor licence ;
- (vi) A club liquor licence ;
- (vii) A temporary liquor licence ;
- (viii) A tavern licence.

Authority for issue of licence. 6. No licence mentioned in the last preceding bye-law, other than a temporary liquor licence, shall be issued except on a certificate granted by the Native Authority.

Definitions and conditions of licence. 7. The following definitions and provisions shall apply to the aforementioned licences :—

(1) A "wine and beer off licence" authorises the sale in quantities not exceeding two bottles to any one person during the space of twenty-four hours of wine and beer to be consumed elsewhere than on the licensed premises. The licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol.

(2) A "wine and beer on licence" authorises the sale by retail of wine and beer to be consumed on the licensed premises. The licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol.

(3) A "general wholesale liquor licence" authorises the sale by wholesale of any liquor for consumption off the licensed premises.

(4) A "general retail liquor licence" authorises the sale in quantities not exceeding two gallons to any one person during the space of twenty-four hours of any liquor for consumption off the licensed premises.

(5) A "hotel liquor licence" authorises the sale of liquor, other than trade spirits, by retail :—

(a) on any day and at any hour to persons sleeping on the premises to be consumed thereon ;

(b) to persons taking meals in the hotel to be consumed therein with the meals, on Christmas day, Good Friday, or Sunday between the hours of 11.30 a.m. and 2.30 p.m. and 6.30 p.m. and 10.30 p.m., and other days between the hours of 8.00 a.m. and 11.30 p.m.

(6) A "club liquor licence" authorises the sale of liquor, other than trade spirits, to the members of the club to be consumed on the premises.

(a) No place of accommodation, entertainment or refreshment shall be considered a club where other than members or their invited guests are allowed entry or accommodation or where other than members are charged or permitted to pay for any refreshment or accommodation they may obtain therein ;

(b) Every club licence shall be issued to the proprietor, secretary or manager of the club :

Provided that no transfer of any such licence shall be necessary upon any change of any such proprietor, secretary or manager, but the person for the time being holding any such office shall be entitled to the privilege granted by the licence and subject to the duties and obligations imposed upon the holder thereof :

(c) The Native Authority shall not authorise the grant or renewal of a club liquor licence unless the applicant shall produce a certificate from the Resident, Abeokuta Province, which shall state that it has been made to appear to his satisfaction that the club mentioned therein is a bona-fide club and is a proper club to be granted a licence.

A copy of the rules of the club certified by the Secretary or Chairman must be deposited by the applicant with the officer from whom such certificate is requested.

(7) (a) A "temporary liquor licence" may be issued to the holder of a licence to sell intoxicating liquor by retail and authorises the holder to sell liquor by retail at any place of recreation of public amusement or other assembly, subject to such restrictions and conditions as the officer issuing the licence shall think proper.

(b) A "temporary liquor licence" shall not be granted for any period exceeding three days.

(c) The licence shall specify the number of days and the hours during which the sale thereunder is authorised.

(8) A "tavern licence" authorises the sale by retail of liquor other than trade spirits, to be consumed on the licensed premises.

8. A wine and beer off licence, a general wholesale liquor licence or a general retail liquor licence shall not authorise the sale of liquor on Christmas Day, Good Friday or Sunday except between the hours of 12.30 p.m. and 2.00 p.m. and 5.00 p.m. and 7.00 p.m., or on any other day except after 8.00 a.m. and before 8.00 p.m.

Hours during which liquor may be sold.

Licence to
expire on
31st
December.

9. Every licence mentioned in bye-law 5, other than a temporary licence shall expire on the 31st December in the year in which it is issued :

Provided that when proper application for the renewal of a licence has been made, such licence shall continue in force until such time as the applicant has been notified of the decision of the Otta Native Authority Council.

Application
to whom
made.

10. (1) All applications for new licences or for the renewal of licences which may be issued on the certificate of the Native Authority shall be made to the Licensing Officer in the prescribed form—

Form and
time of
making
application.

(a) If for consideration at the session of the Native Authority to be held in March not later than 15th January.

(b) If for consideration at the session of the Native Authority to be held in June not later than 15th April.

(c) If for consideration at the session of the Native Authority to be held in September not later than the 15th July.

(d) If for consideration at the session of the Native Authority to be held in December not later than the 15th of October.

Provided that in case any application shall not be made in due time, but shall be made before the Licensing Authority has concluded his enquiry and report, the Licensing Officer may, if he thinks fit, accept the same for consideration upon payment of an additional fee of five pounds.

(2) Any person who in making any such application, knowingly makes any false statement with regard to the particulars required in such application shall be liable to a fine of fifty pounds and any licence issued on such application may be cancelled by the Native Authority.

Procedure on
receipt of
application.

11. The Licensing Officer shall on receipt of an application—

(a) cause a copy of the application to be posted in some conspicuous place outside his court ;

(b) notify the applicant and the District Officer in writing and the public by a notice published as provided in paragraph (a) above of the date and place on and at which he will sit to inquire into the application and hear objections thereto, which date shall not be less than ten days after the posting of such notice.

Who may
object to
issue of
Licence.

12. (1) Any person residing in the district or place wherein the licence or renewal is applied for, may object to the granting or renewal of a licence.

(2) Such objection must be made in writing to the Licensing Officer at least two days before the enquiry.

Inquiry.

13. (1) The inquiry into an application for a new licence or for the renewal of a licence shall be held in public in Otta Grade "B" Native Court by the Licensing Officer sitting with two members of the said Court, provided that no applicant for, or holder of, a licence shall be eligible to sit.

(2) Every applicant for a new licence shall appear in person at the time and place appointed for the inquiry or to which the inquiry may be adjourned.

(3) Every applicant for the renewal of a licence, and persons opposing an application may and shall if required by the Officer holding the inquiry, appear in person before such officer.

(4) Any person appearing at any inquiry, whether as an applicant or as a person opposing an application, may be required to give evidence on oath on any question which the inquiry Officer may think proper affecting the application or the opposition thereto.

(5) An inquiry may be adjourned from time to time as the Officer holding the inquiry may think proper, provided that the inquiry is completed by such time as will permit of the report thereon being furnished to the Native Authority within the time mentioned in the next succeeding bye-law.

14. (1) Immediately on the completion of such inquiry, the Licensing Officer shall forward a copy of the application together with the written opposition (if any) thereto and a certified copy of any evidence taken thereon to the Native Authority so that the same shall be received not later than the last day of the month next preceding that in which the Native Authority will sit to consider such application.

After inquiry application and report thereon to be furnished to the Native Authority.

(2) The Licensing Officer shall, when forwarding the application, report to the Native Authority on all matters which may affect the decision of the Native Authority in respect of the application which report shall contain, in the case of an application for a new licence, information as to—

(a) the character and circumstances of the applicant and

(b) suitability of the premises in respect of which the licence is required and he shall furnish the Native Authority with his recommendations and that of the members of the Court sitting with him.

15. The Native Authority shall sit in the first week in March, June, September and December for the purpose of taking into consideration applications which have been forwarded to them by the Licensing Officer.

Sitting of Native Authority.

16. The Native Authority may in their discretion grant or refuse to grant a certificate for a licence or renewal of a licence or, may grant a certificate, subject to any special conditions they may think proper not being repugnant to these bye-laws. Any such conditions shall be specified in the certificate and shall be embodied in the licence.

Discretion of the Native Authority.

17. (1) The decision of the Native Authority and the certificate, if any, shall be sent by the Clerk of the Council to the Licensing Officer and shall be notified by such Officer to the applicant.

Decision of Native Authority to be notified to the applicant thro' Licensing Officer.

(2) The Licensing Officer receiving the certificate shall on the receipt of the prescribed fee issue a licence in the terms of the certificate.

Issue of Licence.

18. When a certificate for the renewal of a licence shall have been refused by the Native Authority, the Native Authority may in their discretion authorise the issue of a licence to the applicant for such period as the Native Authority may think proper to enable him to dispose of the liquor then in his possession. A proportionate part of the prescribed fee for the annual licence shall be paid for every such licence.

Extension of existing licence when renewal refused.

19. In case the applicant shall die after applying for the grant or renewal of a licence and before the licence or renewal licence has been issued, the Native Authority may authorise the issue of the licence or renewal licence to the executor, administrator, or trustee as the case may be, of the estate of such applicant.

Death of applicant.

20. No licence issued under these bye-laws shall be transferable except in the event of the death of the holder of a licence, in which case the Native Authority may make such order as to transfer as they think just.

Transfer of Licence.

Provision of Sign Board.

21. (1) Every holder of a licence other than a temporary licence granted under these Bye-laws shall suspend or affix or maintain over the entrance to the licensed premises, a board of not less dimensions than two feet by eight inches, on which shall be printed in legible characters the name of the licensee and the class of the licence of which he is the holder.

Penalty—a fine of fifty pounds.

(2) No person who is not licensed shall have any words on his premises purporting that he is licensed, and no licensed person shall have any word or letter on his premises purporting that he is licensed in any other way than that in which he is duly licensed.

Penalty—a fine of fifty pounds.

Court imposing penalties.

22. The penalties under these bye-laws shall be imposed by the Otta Grade "B" Native Court.

In case of an offence of the servant, etc., of a licence-holder both the servant, etc., and licence-holder to be liable to penalties prescribed.

23. If any person being the manager for, or the servant of, or authorised to act for, a licence-holder shall do any act or thing or be guilty of any omission which if done or omitted by the licence-holder would constitute an offence by the licence-holder both such person and the licence-holder shall be liable to the penalties prescribed by these bye-laws for such offence, whether such act, thing, or omission was done or made with or without the knowledge or consent of the licence-holder.

Offences by retail licence-holder,

24. The holder of a retail licence who—

(a) permits drunkenness or any riotous or quarrelsome conduct to take place upon his premises ;

(b) sells liquor to any person already in a state of intoxication or by any means encourages or incites any such person to drink intoxicating liquor ;

(c) sells liquor to a child under fourteen years of age ;

(d) sells or supplies liquor to any soldier or police officer on duty, or knowingly harbours or suffers to remain on his premises, any such soldier or police officer unless for the purpose of keeping or restoring order on in execution of his duty ;

(e) permits the premises to be used as a brothel or the habitual resort or place of meeting of prostitutes, or allows any such person to remain on the licensed premises longer than is necessary for the consumption of any liquor purchased by her ;

(f) fails to admit to, or obstructs any police officer or other authorised person from entering the licensed premises in the execution of his duty or fails to produce his licence when demanded by a police officer or other authorised person ;

(g) keeps his premises open for the sale of liquor during any time when he is not authorised by his licence to sell liquor or allow any liquor to be consumed on such premises during any such time ;

(h) being the holder of a tavern licence, a wine and beer licence or general retail liquor licence, permits gaming or any unlawful game to be played on the licensed premises, shall be liable to a fine of fifty pounds.

25. Any person who—

(a) not being the occupier or a servant or member of the family of the occupier consumes any intoxicating liquor on premises licensed for the sale of liquor by retail during the hours when the sale of liquor is prohibited ; or

(b) obtains or attempts to obtain intoxicating liquor during the hours when the sale of liquor is prohibited by falsely representing himself to be a person sleeping on the hotel premises ; or

(c) being found on licensed premises during the hours during which the sale of liquor is prohibited, refuses his name and address when demanded by a police officer, or gives a false name or address, shall be liable to a fine of five pounds for a first offence and of ten pounds for any subsequent offence.

Offences by persons other than the licence-holder.

26. Any licensed person or his agent or servant may refuse to admit to or may turn out of his licensed premises, by force if necessary, any person who is drunk, violent, quarrelsome or disorderly, and any person whose presence on his premises would subject him to a penalty under these Bye-laws ; and any such person who, on being requested by such licensed person or his agent or servant or by a police officer to quit such premises refuses or fails to do so, shall be liable to a fine of five pounds and all police officers are required, on demand of such licensed person, agent or servant to expel or assist in expelling such person from such premises and may use such force as may be required for the purpose.

Power to expel drunkards, etc., from licensed premises.

27. (1) The holder of any licence, who shall either himself or through his servant commit any breach of the conditions of his licence shall be guilty of an offence and liable, on conviction, to a fine of fifty pounds.

(2) Whenever a licence-holder shall be convicted of an offence under these Bye-laws, his licence shall be liable for forfeiture.

(3) Every conviction of a licence-holder under these Bye-laws shall be endorsed on his licence by the convicting Court, and the licence-holder shall produce his licence to the Court for such purpose.

Conviction of licence-holder and forfeiture and endorsement of licence.

(4) Any person who—

(a) shall neglect or refuse to produce his licence as required by the preceding sub-by-laws ; or

(b) without proper authority obliterates or alters any such endorsement as aforesaid ; shall be liable to a fine of ten pounds.

28. Every member of the Egha-Egbado Native Authority Police Force may :—

(a) enter any licensed premises at any time for the purpose of detecting or preventing any breach of the provisions of these Bye-laws or any licence issued under these Bye-laws.

(b) at any time demand the production of any licence granted under these Bye-laws.

Powers of Police.

29. The following fees shall be payable for licences :—

	£	s	d	Fees.
(1) On application (other than for a temporary licence) ...	0	5	0	
(2) Wine and Beer Off Licence	2	10	0	
(3) Wine and Beer On Licence	5	0	0	
(4) General Wholesale Liquor Licence	15	0	0	
(5) General Retail Liquor Licence	15	0	0	

	£	s	d
(6) Hotel Liquor Licence	25	0	0
(7) Club Liquor Licence	5	0	0
(8) Temporary Liquor Licence (for each day, or continuous period not exceeding twelve hours on two days) ...	1	0	0
(9) Tavern Licence	25	0	0

Provided that in the case of any licence other than a temporary licence which is not issued before 30th June in any year, half only of the fee prescribed for such licence shall be demanded.

Use of forms in Schedule. 30. Subject to the express provisions, if any, of these Bye-laws the forms contained in the Schedule shall with such variations as the circumstances of the particular case may require, be used in the cases to which they apply.

Dated this 8th day of February, 1952 at Otta.

T. O. FADINA, OLOTTA OF OTTA,
Chairman, Otta District Native Authority Council

Witness to Signature—

A. E. DEINDE,
Clerk of Council

Signified in accordance with the Otta District Native Authority Standing Rules, 1951, made the 4th day of November, 1950.

CONCURRED in this 28th day of February, 1952.

ADEMOLA II,
Alake of Abeokuta
ADEDAMOLA II,
Osile of Oke-Ona

B. B. SOBEKUN,
Agura of Gbagura
GBADELA II,
Olowu of Owu

Witness to Signature—

J. O. KUFORJI,
Clerk of Council

Signified in accordance with Egba Divisional Native Authority Standing Rules, 1951, made the 24th day of March, 1951.

APPROVED by the Governor this 23rd day of December, 1953.

By His Excellency's Command,

O. P. GUNNING,
Acting Administrative Secretary to the Government

SCHEDULE

FORM A

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

APPLICATION FOR A LICENCE BY A PERSON WHO DOES NOT HOLD A LICENCE OF THE CLASS APPLIED FOR IN RESPECT OF THE PREMISES FOR WHICH THE LICENCE IS REQUIRED

To the President, Otta "B" Native Court.

- (1) Name of Applicant
- (2) Tribe of Applicant
- (3) Age of Applicant
- (4) Address of Applicant
- (5) Class of Licence required

- (6) Description and situation of premises in respect of which the Applicant has previously held any licence authorising the sale of Liquor which has been forfeited or revoked.

DATED this _____ day of _____ 19____
 Fee—Five shillings

Signature of Applicant

FORM B

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

APPLICATION FOR THE RENEWAL OF LICENCE

To the President, Otta "B" Native Court.

- (1) Name of Applicant
- (2) Class and Number of Licence held.
- (3) Description and situation of the premises licensed
- (4) Whether any conviction has been endorsed on the current licence since it was issued, and if so the particulars of each endorsement.

DATED this _____ day of _____ 19____
 Fee—Five shillings

Signature of Applicant

FORM C

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

CERTIFICATE OF THE OTTA DISTRICT NATIVE AUTHORITY
 FOR THE GRANT OF RENEWAL OF A LICENCE

TO ALL PERSONS CONCERNED :

This is to certify that the application of _____ for a _____ licence in respect of _____ having been considered by the Native Authority at a meeting held on the _____ day of _____ 19____ the Native Authority has directed that the aforesaid licence may be issued to the said _____ in respect of the said premises ; subject to the following special conditions to be endorsed on the licence and to be observed by the Licencee :—

DATED this _____ day of _____ 19____

Chairman

FORM D

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

WINE AND BEER ON LICENCE

_____ of _____ is hereby authorised to sell by retail wine and beer on _____ to be consumed on the said premises.

This licence does not authorise the sale of wine and beer containing more than twenty per centum of pure alcohol and is issued subject to the Bye-laws relating to the sale of liquor passed by the Native Authority and to the following special conditions :—

DATED this _____ day of _____ 19____
 Fee—£5

Licensing Officer

FORM E

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

WINE AND BEER OFF LICENCE

_____ of _____ is hereby licensed to sell by retail wine and Beer on _____ to be consumed elsewhere than on the said premises. This licence does not authorise the sale of wine and beer containing more than 20 per cent alcohol, and is issued subject to Bye-Laws relating to the sale of Liquor passed by the Native Authority and to the following special conditions :

DATED this _____ day of _____ 19____
 Fee—£2 10s 0d

Licensing Officer

FORM F

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

GENERAL *WHOLESALE/RETAIL LIQUOR LICENCE

_____ of _____ is hereby licensed to sell by *wholesale/retail intoxicating liquor on _____ to be consumed elsewhere than on the said premises.

The licence is issued subject to the provisions of the Bye-laws relating to the sale of liquor passed by the Native Authority and to the following special conditions :

DATED this _____ day of _____ 19____
 Fee—£15.

Licensing Officer

*Delete whichever does not apply.

FORM G

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

HOTEL LIQUOR LICENCE

_____ of _____ is hereby authorised to sell by retail on (description and situation of the hotel premises) intoxicating liquor other than trade spirits :—

- (a) on any day and at any hour, to persons sleeping on the said premises to be consumed thereon ;
- (b) to persons taking meals on the said premises to be consumed thereon with the meals during hours in which the sale of liquor is allowed under a tavern licence.

This licence is issued subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder and to the Otta District Native Authority (Liquor Licensing) Bye-laws, 1952, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this _____ day of _____ 19____
 Fee—£25.

Licensing Officer

FORM H

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

CLUB LIQUOR LICENCE

_____ of the Club known as _____ being the _____ and situate at _____ is hereby authorised to sell intoxicating liquor, other than trade spirits to members of the said club to be consumed on the club premises.

This licence is issued subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder and to the Otta District Native Authority (Liquor Licensing) Bye-laws, 1952, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this _____ day of _____ 19____
 Fee—£5.

Licensing Officer

FORM I

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

TEMPORARY LIQUOR LICENCE

..... of being the holder of a (1) licence to sell intoxicating liquor by retail is hereby licensed subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder to the Otta District Native Authority (Liquor Licensing) Bye-laws, 1952, to sell intoxicating liquor by retail at between the hours of and on the following days (2) subject to the special restrictions and conditions endorsed on the back hereof.

DATED this day of 19.....
 Fee—£3 ; £2 ; £1 ; as the case may be.

(1) Definition.
 (2) State number of days not excluding three.

.....
Licensing Officer

FORM J

The Liquor Ordinance (Cap. 114)
Otta District Native Authority

TAVERN LICENCE

..... of is hereby licensed to sell by retail intoxicating liquor other than trade spirits on to be consumed on the said premises.
 (Description and situation of premises)

This licence is issued subject to the provisions of the Liquor Ordinance and to the Otta District Native Authority (Liquor Licensing) Bye-laws, 1952, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this day of 19.....
 Fee—£25.

.....
Licensing Officer

1087/1

W.R.L.N. 4 of 1954

The Native Authority Ordinance (Cap. 140)

VARIATION AND TEMPORARY APPOINTMENTS :
 IKEJA AREA NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 8 and 10 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Variation and Temporary Appointments) Ikeja Area Native Authority Notice, 1954.

2. The appointment of the following Council to the office of the Native Authority shown opposite its name is hereby revoked :—

Ikeja Area Council Ikeja Area Native Authority.

3. The following persons are hereby appointed to the office of the Ikeja Area Native Authority for a period of six months from the date of this Notice :—

- | | |
|----------------------|--------------------------|
| (a) Chief Tade Bada | (e) Mr J. Fajinmi |
| (b) Mr J. O. Tade | (f) Mr A. O. Ogunlana |
| (c) Mr Y. B. Salau | (g) Mr F. O. O. Okuntola |
| (d) Mr R. O. Sunmonu | (h) Mr S. A. Ajakaiye. |

4. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 6th day of January, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

27806

W.R.L.N. 5 of 1954

The Assessment Ordinance (Cap. 16)

The Lieutenant-Governor has been pleased to direct that the Assessment Ordinance shall cease to apply to the town of Ilaro in the Abeokuta Province as from the 26th day of October, 1953.

2. Public Notice No. 3 of 1942 and Public Notice No. 2 of 1942 are hereby cancelled.

By His Honour's Command.

T. M. SHANKLAND,
Civil Secretary, Western Region

23rd December, 1953.
2861/1

W.R.L.N. 6 of 1954

The Native Authority Ordinance (Cap. 140)

ESTABLISHMENT AND APPOINTMENT OF NATIVE AUTHORITIES

In exercise of the powers conferred upon the Lieutenant-Governor by sections 3 and 5 of the Native Authority Ordinance, the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Establishment and Appointment) (Amendment) Notice, 1954.

Amendment
of W.R.
Public
Notice No. 6
of 1952.

2. The Schedule to the Native Authorities (Western Region) (Establishment and Appointment) Notice, 1952, is hereby amended by deleting therefrom the particulars set forth in the First Schedule hereto and substituting therefor the particulars set forth in the Second Schedule thereto :—

FIRST SCHEDULE

NATIVE AUTHORITIES—WESTERN REGION

DELETIONS

<i>Province</i>	<i>Division</i>	<i>Designation of Native Authority</i>	<i>Subordinate to</i>	<i>Members of Native Authority</i>	<i>Area</i>
BENIN	Asaba (Ogwashi-Uku District)	Akwukwu-Atuma Native Authority	—	Akwukwu-Atuma Council	Akwukwu-Atuma Area.
		Ezechima Native Authority	—	Ezechima Area Council	Ezechima Clan Area
		Idumuje Native Authority	—	Idumuje Area Council	Idumuje Clan Area
		Illah-Ebu Native Authority	—	Illah-Ebu Area Council	Illah-Ebu Area
		Odiani Native Authority	—	Odiani Area Council	Odiani Clan Area.
		Ogwashi-Uku Native Authority	—	Ogwashi-Uku Area Council	Ogwashi-Uku Clan Area.
		Oko Native Authority	—	Oko Area Council	Oko Area.
		Okpanam Native Authority	—	Okpanam Area Council	Okpanam Clan Area.
		Uburu Native Authority	—	Uburu Area Council	Uburu Clan Area

SECOND SCHEDULE

NATIVE AUTHORITIES—WESTERN REGION

ADDITIONS

Province	Division	Designation of Native Authority	Subordinate to	Members of Native Authority	Area
BENIN	Asaba (Ogwashi-Uku District)	Aniocha Federal Native Authority	—	Aniocha Federal Council	The Akwukwu-Atuma, Ezechima Clan, Idumuje Clan, Illah-Ebu, Odiani Clan, Ogwashi-Uku Clan, Oko Clan, Okpanam Clan, and the Uburu Clan Areas, Akwukwu-Atuma Area.
		Akwukwu-Atuma Native Authority	Aniocha Federal Native Authority	Akwukwu-Atuma Council	
		Ezechima Native Authority	do.	Ezechima Area Council	Ezechima Clan Area
		Idumuje Native Authority	do.	Idumuje Area Council	Idumuje Clan Area
		Illah-Ebu Native Authority	do.	Illah-Ebu Area Council	Illah-Ebu Area
		Odiani Native Authority	do.	Odiani Area Council	Odiani Clan Area
		Ogwashi-Uku Native Authority	do.	Ogwashi-Uku Area Council	Ogwashi-Uku Clan Area.
		Oko Native Authority	do.	Oko Area Council	Oko Area.
		Okpanam Native Authority	do.	Okpanam Area Council	Okpanam Clan Area.
		Uburu Native Authority	do.	Uburu Area Council	Uburu Clan Area.

GIVEN at Ibadan this 7th day of January, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

W.R.L.N. 7 of 1954*The Native Authority Ordinance (Cap. 140)***THE ANIOCHA FEDERAL NATIVE AUTHORITY : APPOINTMENTS**

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 5 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Aniocha Federal Native Authority (Appointments) Notice, 1954.

2. The following persons are hereby appointed to the office of the Aniocha Federal Council :—

- | | |
|--|---------------------------|
| (a) The District Officer, Asaba Division | (f) C. O. Odiakosa |
| (b) Chief G. O. Uwechue | (m) S. D. C. Jibunoh |
| (c) J. A. Azejuonye | (n) Obi Nwoko II |
| (d) Rev. S. W. Martins | (o) Obi Anyasi II |
| (e) N. N. Nwadiokwuashi | (p) M. A. Awuno |
| (f) R. E. Mosindi | (q) Obi Ochei I |
| (g) M. N. Okpah | (r) J. C. Oburotha |
| (h) Obi Ofulue | (s) Obi Nwosisi II |
| (i) A. W. Nwanede | (t) M. D. N. Openc |
| (j) C. I. O. Ugbo | (u) Ochili Ije |
| (k) F. O. Enwemadu | (v) F. H. Utomi, M.H.A. |
| | (w) A. U. Jibunoh, M.H.A. |

GIVEN at Ibadan this 7th day of January, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

24820

W.R.L.N. 8 of 1954*BYE-LAWS made under THE TOWNSHIPS ORDINANCE (Cap. 216)*

In exercise of the powers conferred upon Local Authorities by section 47 of the Townships Ordinance the following Bye-laws have been made by the Local Authority, Sapele, with the approval of the Lieutenant-Governor.

1. These Bye-laws may be cited as the Sapele Township (Licensing of Vehicles) (Amendment) Bye-laws, 1953, and shall apply to Sapele Township.

2. The Sapele Township Bye-laws, 1953, published in Western Regional Public Notice No. 53 of 1953, are hereby amended by the deletion of the first item of the Second Schedule and substitution thereof of the following :—

Bicycle or Tricycle 7s 6d

3. This amendment is to take effect from the 1st day of January, 1954.

MADE this 31st day of October, 1953.

J. D. LOGAN,
Local Authority, Sapele

APPROVED this 7th day of January, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

24202

W.R.L.N. 9 of 1954

ORDER made under THE DOGS ORDINANCE (Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Benin City) Declaration and Prohibition (Revocation) Order, 1953, and shall come into operation on the 31st day of December, 1953.

2. The Rabies (Benin City) Declaration and Prohibition Order, 1953, is hereby revoked.

MADE at Benin City, this 31st day of December, 1953.

H. L. M. BUTCHER,
Resident, Benin Province

W.R.L.N. 10 of 1954

ORDER IN COUNCIL made under THE NIGERIA TOWN AND COUNTRY PLANNING ORDINANCE (Cap. 155)

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 18 (1) of the Nigeria Town and Country Planning Ordinance, the following Order in Council is hereby made:—

1. This Order in Council may be cited as the Sapele Planning Scheme No. 1 (approval) Order in Council, 1954.

2. The Planning Scheme known as the Sapele Planning Scheme No. 1 set out in the schedule hereto is hereby approved.

MADE by the Lieutenant-Governor in Council at Ibadan this 11th day of January, 1954.

T. N. ROSSER,
Clerk of the Executive Council

TP84/T

SCHEDULE
NIGERIA TOWN AND COUNTRY PLANNING ORDINANCE
(Cap. 155)
SCHEME

Made under section 13 of the Nigeria Town and Country Planning Ordinance.

This Scheme may be cited as the Sapele Town Planning (No. 1) Scheme.

PART I.—GENERAL

2. The Interpretation Ordinance (Chapter 94) shall apply for the purpose of interpreting this Scheme as it applies for the purpose of interpreting an Ordinance. Interpretation.

3. Where terms defined in the Nigeria Town and Country Planning Ordinance (hereinafter called "the Ordinance") are used in this Scheme such terms shall have the meanings assigned to them by the Ordinance, unless they are otherwise defined in this Scheme or are inconsistent with the subject or context.

4. In this Scheme the term "Scheme Plan" refers to the plans prepared by the Authority in duplicate being sealed with the Official seal of the Authority marked "Scheme Plan No. referred to in the Sapele Planning Scheme No. 1" and signed by the Chairman of the Authority in duplicate, one of which is deposited at the office of the Authority and the other in the offices of the Local Authority, Sapele. Scheme Plan.

5. The area to which this Scheme applies consists of that part of the Sapele Township which lies within the broad Grey boundary line on the Scheme Plan. Area of Scheme.

6. Except where otherwise specifically stated in this Scheme no person shall subdivide or develop any land within the area to which this Scheme applies without the prior consent of the Authority. The Authority may grant to any person applying in writing permission in writing, subject to the provisions of this Scheme and to such conditions as the Authority may deem necessary to impose to subdivide or develop land within the area to which this Scheme applies. Application for consent of the Board in all cases.

Applicants to furnish particulars.

7. The Authority in considering an application to develop or subdivide land shall be furnished, in addition to any plans and particulars that must be submitted to comply with the Sapete Township Building Rules, with such information as is necessary in the opinion of the Authority to secure that the development or subdivision of land will be in conformity with the provisions of this Scheme and in granting approval to such application the Authority may impose such conditions as it considers necessary to secure that the development or subdivision of land will be in conformity with the provisions of this Scheme.

Refusal of Consent.

8. The Authority shall refuse its consent to subdivision or development of land that in its opinion, is likely to constitute a departure from any provision of this Scheme.

PART II.—RESERVATION OF LANDS, OPEN SPACE, ETC., STREETS, STREET WIDENINGS, CLOSING AND DEVIATION

Reservation of Land.

9. The several pieces of land specified in Column 1 and Column 2 of the following Schedule are reserved for use for the respective purposes indicated in Column 3 of the Schedule.

SCHEDULE "A" PART I

PRIVATE, PUBLIC AND OPEN SPACES

1	2	3
Colour and Number	Location	Use
A 1 GREEN ...	Area bounded by Chichester/Hadoke /Market Roads.	Public open spaces Re-creation grounds.
A 2 GREEN ...	Area bounded by Chichester/Hadoke /Market Roads/Earth drain.	Public open spaces Playing grounds.
A 3 GREEN ...	Area bounded by Chichester Road /Earth drain/Market Road.	Private open space for club and recreation.
A 4 GREEN ...	Area between Chichester Road and Government Residential Area.	Open space.
A 5 GREEN ...	Area bounded by Civic Centre /Market/Hadoke Roads.	Private open space for tennis club.
A 6 GREEN ...	Area bounded by Market Hadoke Roads/Police Barracks.	Public open space and free zone
A 7 GREEN ...	Area surrounding European Cemetery and bounded by Yoruba/Hadoke Road/Itsekiri Road extension.	Free zone.
A 8 GREEN ...	Area bounded by Cemetery/Court Roads, south of Abrahall Road extension.	Public open space.
A 9 GREEN ...	Area between Infectious Diseases Hospital and Township Boundary.	Public open space.
A 10 GREEN ...	Area to south of Yoruba Road extension and west of Maclaren Road extension.	Public open space.
A 11 GREEN ...	Area bounded by Shute Lane/Wilkes /Abrahall Roads.	Public open space.
A 12 GREEN ...	Area between Major Bowen Street and Township Boundary.	Public open space.
Green hatched ...	Area bounded by Palmer Water /Abayeur Roads/Business area.	Private open space for C.M.S. School.
GREEN hatched	An area bounded by Yoruba Road in north and Ogodo Road in South between Cemetery and Laborde Roads.	Private open space for R.C.M. School.
GREEN hatched	Area bounded by Ofotokun/Water /Yoruba/Palmer Roads.	Private open space Township School.
GREEN edged YELLOW ...	Area bounded by acquisition boundary in the north and Township Boundary in the south and west and by proposed road in the east.	Public open space African Cemetery.

SCHEDULE "A" PART II
ROADS AND CAR PAVES

1	2	3
<i>Colour</i>	<i>Location</i>	<i>Use</i>
BROWN, edged RED	Market Road	Widening.
BROWN, edged RED	Decima Road	Widening.
BROWN, edged RED	Palmer Road	Widening.
BROWN, edged RED	Chichester Road	Widening.
BROWN, edged RED	Hadoke Road from Market to Yoruba Road.	Widening.
BROWN, edged RED	Abayeur Road	Widening.
BROWN, edged RED	Ferry approach to Hadoke and Chichester Road junction.	Widening.
BROWN, edged RED	Whitely Road	Widening.
BROWN, edged RED	Water Street from Palmer Road to a point 260' from Abayeur Road junction.	Widening.
BROWN, edged RED	Water Street from Urhobo Road to Township Boundary.	Widening.
BROWN, edged RED	Urhobo Road	Widening.
BROWN, edged RED	Itsekiri Road	Widening.
BROWN, edged RED	Yoruba Road	Widening.
BROWN, edged RED	Ofofokun Street from MacPherson Road to Palmer Road.	Widening.
BROWN, edged RED	Hausa Road	Widening.
BROWN, edged RED	Laborde Street	Widening.
BROWN, edged RED	Kings Street	Widening.
BROWN, edged RED	Cemetery Road	Widening.
BROWN, edged RED	Court Road	Widening.
BROWN, edged RED	Maclaren Road from Market Road to junction of Wilkes Road.	Widening.
BROWN, edged RED	Warri Road	Widening.
RED	Palm Avenue between Hausa Road and Palmer Road.	Extension.
RED	Abrahall Road between Cemetery and Court Roads.	Extension.
RED	MacPherson Road from Decima Road junction to Palmer Road.	Extension.
RED	Itsekiri Road from Cemetery Road between amended plots eastwards to North of European Cemetery and to Hadoke Road.	Extension.
RED	Chichester Road to Yoruba Road ...	Extension.
RED	Yoruba Road to Maclaren Road ...	Extension.
RED	Abrahall Road to Warri Road ...	Extension.
RED	Maclaren Road to Township Boundary	Extension.
RED	Wilkes Road to Abrahall Road ...	Extension.
RED	Palm Avenue between Cemetery Road and Chichester Road.	Extension.
RED	Urhobo Road between Cemetery Road and Chichester Road.	Extension.
RED	Ogodo Road extended North West across Marsh.	New road.
RED	Abayeur Road to Hausa Road/Palm Avenue junction.	New road.
RED	Major Bowen Street	New road.
RED	Cruddas Road	New road.
RED	Shute Lane	New road.
RED	Addo Lane	New road.
RED	Water Street across Abayeur Road to a point 260 feet from the present Water/Abayeur Road junction.	Deviation and new road.

"A" PART III
INDUSTRIAL AREA

2	3
Location	Use
by Ethiopie River, ry Exit, Chichester ad and Township	Industrial.
y Market Road /Court Road and ension.	Business.
a of Palm Avenue l from Court Road et west of Palmer	Business.
.M.S. School on and Palm Avenue rt Road, Market to the east and Market on the	Business.

"A" PART IV
RESIDENTIAL

Benin ce and River, public	Government Residential.
Warri Road wen Roads, Police Barracks, Road, Market	High Class Government and Private Residential.
n Avenue ex- Road, Urhobo ourt Road.	Government Junior Service Staff Residen- tial Area.
pen space; Carey Road, arket Road, Road, Wilkes	Government Junior Service Staff Residential Area.
ilkes oad, ce, ren Town- ket racks and	Middle class Residen- tial Area.
racks on xtension open nd Road ba cluding European	Middle class Residen- tial Area.
ermission Middle north Resi- by	Middle class Residen- tial Area.
	Special Residential
	Police Barracks.

SCHEDULE "A" PART V
PUBLIC BUILDINGS

VENETIAN RED ...	Area bounded by Market Road on the north Special Middle Class Residential Area on the south Chichester Road on the west and open space on the east.	Civic Centre and Public Buildings.
VENETIAN RED ...	Area bounded by Chichester Road on the south, Benin River on the north, Ferry approach on the east and Government Residential Area on the West.	Public Buildings.

SCHEDULE "A" PART VI
MARKETS

GREY ...	Area bounded by Benin River on the north, Market Road on the South, Hausa Road on the west, Business area on the east and south.	Markets.
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SCHEDULE "A" PART VII
HOSPITALS

VENETIAN RED (hatched)	Area bounded by business area on the west, Government Residential Area and open space on the east, Benin River on the north, and Market Road on the south.	Hospital.
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10. (1) No person shall, except with the consent of the Authority, erect a building or execute works, or make excavations on land reserved under clause 9 hereof, other than buildings, works or excavations required for or incidental to the purposes for which the land is reserved:

Buildings not to be erected on reserved land except in accordance with Scheme.

Provided that any such land may continue to be used for the purpose for which it was used on the date when the Scheme was approved until such time as it is stated in the notice served on the owner and/or the occupier as provided by section 29 (2) of the ordinance or until the Authority has acquired the land:

Provided further that nothing herein contained shall be deemed to absolve any person from due compliance with the provisions of the regulations or bye-laws in force in Sapele Township in so far as they are not inconsistent herewith.

(2) Save as provided by sub-clause (1) no person shall use, spoil or waste land reserved under clause 9 hereof so as to destroy or impair its use for the purpose for which it is reserved:

Provided that the Authority may consent to the deposit on such land of waste materials or refuse, and in particular but without affecting the generality of the foregoing, the reservation of land under clause 9 hereof shall not affect or diminish the liabilities or duties of owners or occupiers under the Public Health Ordinance (Chapter 183) or any bye-laws or Regulations that may be in force.

(3) In giving its consent under this clause, the Authority may impose such conditions as it may think fit.

Nothing in this clause shall be construed as prohibiting the reasonable fencing of reserved land.

11. The layout and zoning of land shall be subject to the approval of the Authority and all development therein shall comply with the provisions of the Scheme.

Development of land.

Uses of Private open spaces. 12. For the purpose of this part of the Scheme land shall be deemed to be used as a private open space if, and only if, it is used :—

(a) As an ornamental garden or pleasure ground or as a private ground for sports or recreation ground ordinarily open or intended to be ordinarily open to the public on payment of a charge ; or

(b) as a farm for low growing crops, or grazing land and market gardens, other than land used wholly or principally for the purpose of a plantation, forest or firewood plantation.

Streets declared to be closed or diverted. 13. (1) Each of the streets or portions of streets hatched red on the plan and specified in the following Schedule shall be declared to be closed as from a date to be announced by the Authority.

(2) All public rights therein shall cease as from the aforesaid date, and the land shall be used for the purpose set out in the fourth column of Schedule B.

SCHEDULE "B"

STREETS DECLARED TO BE CLOSED OR DIVERTED

No. of Street (coloured Brown and hatched red on plan)	Name of Street	Locality	Purpose for which land may be used
1	2	3	4
1	Water	From Abayeur Road to a point 260 feet towards Decima Road.	General Residential.
2	—	Road joining Cemetery Road with Court Road within area bounded by Cemetery Road, Palm Avenue, Court Road and Urhobo Road.	General Residential.
3	—	All roads within area bounded by Court Road, Palm Avenue extension, Chichester Road and Urhobo Road extensions.	Government Junior Service Staff Residential Area.
4	—	Road joining Palm Avenue extension with Market Road within area bounded by Market Road, Chichester Road, Palm Avenue extension and Court Road.	Business area.
5	Hadoke Road	Between Chichester Road and Market Road.	Open space.
6	—	"Drive-in" at the south end of Maclaren Road running parallel to the Township Boundary.	Residential and open spaces.
7	Abayeur Road	Abayeur Road from Palmer Road to Hausa Road.	Business area.
8	—	Between Market and Yoruba Roads, through Police Barracks.	Open space and Police Barracks.

The diversion or closing of a street or road under this clause shall not affect any sewers, gas or water mains, electric cables or wires or other existing works lying on, over or under such street or road, and the responsible authorities in each area shall have the same powers in relation thereto (including the power of inspecting, maintaining and repairing the works and connections thereto, and of entering upon the land for that purpose) as if the street or road had not been diverted or closed:

Provided that the Authority may, if it thinks fit, divert or transfer any such works, and execute any works necessary and incidental to such diversion or transfer, and may enter into agreement with the responsible authorities for the purpose.

PART III.—BUILDING LINES

14. The building line for any street and/or proposed street shall be in accordance with that laid down under the Sapcle Township Rules. Building Lines.
15. (a) No building other than boundary walls or fences or temporary structures erected in connection with building operations, or buildings permitted in pursuance of sub-clause (1) or clause 10 hereof, shall hereafter be erected on the land between the building line and the street boundary. Observance of building line s.
- (b) No goods, merchandise, wares or other obstruction shall be placed, deposited, kept or displayed in the area between the street boundary and any building line.

PART IV.—BUILDING RESTRICTIONS AND USE OF LAND

(1) *Use of Land and Buildings*

16. In this part of the Scheme, except where the context otherwise requires, or it is otherwise expressed provided the following words and expressions have the respective meanings hereby assigned to them. Interpretation.
- “Agricultural Building” shall mean a building designed for use in connection with and which would ordinarily be incidental to, or reasonably necessary in connection with, the use of the site of that building as agricultural land. Agricultural Buildings.
- “Business Premises” means a building designed for use as an office, for wholesale, or retail trade or for any other business purposes, but does not include a place of instruction or place of amusement, or any building mentioned, whether by way of inclusion, or exclusion, in the definition of “institution” or a building designed for use as a general garage, industrial building or noxious industrial building. Business Premises.
- “Dwelling house” means a house designed for use as a dwelling for a single family, together with such out-buildings as are ordinarily used therewith. Dwelling-house.
- “Existing Use” means, in relation to any building or land, continuous use of that building or land for any purpose of the same or in the opinion of the Authority a similar character to that for which it was being used before the declared date (13th July, 1950) or, in the case of a newly erected building erected before such date, which has not been used before such date, a use for any purpose for which it was designed, including, in any case, any use of a building or land permitted by the Authority pending the preparation and approval of this Scheme provided that the discontinuance of the existing use of a building at any time after the date of approval for a period exceeding twelve months shall be deemed to interrupt the continuous use. Existing use.
- “Flat” means any suite of rooms, not being a single dwelling-house designed for use by a single family, contained in a building. Flat.
- “Industrial Building” means a building, other than a noxious industrial building designed for manufacture and includes any office or other building within the same site, the use of which is incidental to, and such as would ordinarily be incidental to, or reasonably necessary in connection with manufacture. Industrial Building.
- “Institution” means a building designed for use as a public or charitable institution, hospital, nursing home, sanatorium, clinic, or dispensary whether public or private, but does not include buildings designed wholly or principally for any of the following uses, namely as— Institution.
- (i) a hospital, sanatorium, dispensary, or clinic for the treatment of infectious or contagious diseases ;

- (ii) a certified institution, certified house or approved home for mental defectives ;
- (iii) a mental hospital ;
- (iv) a public assistance institution ;
- (v) a penal institution.

Noxious
Industrial
building.

"Noxious Industrial Building" means a building designed or used for the purpose of carrying on any of the offensive trades specified in Appendix "A" to these clauses and includes any office or other building within the same site, the use of which is incidental to, or reasonably necessary in connection with the use of such Noxious Industrial Building:

Provided that where the Authority with the approval of the Lieutenant-Governor, adds to the list of noxious trades set forth in Appendix "A" to these clauses such additions should also be deemed to be included in the above definition.

Packing
Garage

"Parking Garage" means a building designed for the purpose of parking motor vehicles, and for the sale of petrol, oil and accessories but does not include a building, any part of which is designed for use as a workshop for the assembly or repair of motor vehicles.

Petroleum
Filling
Station.

"Petroleum Filling Station" means a building designed for the purpose of the sale only of petroleum, oil and other fuels or lubricants used in connection with motor vehicles and includes an office and storeroom for use in connection therewith.

Place of
Amusement.

"Place of Amusement" includes, inter alia, a building designed for use as a public hall, theatre, cinema, music hall, concert hall, billiard saloon, sports arena, skating rink, swimming bath, or dance hall, or for the purpose of exhibitions of trade or industry.

Place of
Instruction.

"Place of Instruction" means a building designed for use as a school, college, technical institute, academy, lecture hall or other educational centre, and includes a monastery, convent, mission, public library, art gallery, museum, gymnasium, but does not include a building designed for use wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children.

Place of
Public
Worship.

"Place of Public Worship" means a building designed for use as a church, chapel, mosque, fetish house, meeting house, or other place of public devotion, and includes a building designed for use as a Sunday School, and an institute or other buildings designed for purpose of social intercourse and recreation, within the same site as, and in association with, any of the foregoing buildings.

General
Garage.

"General Garage" means a building designed for the purpose of assembly or repair of motor vehicles.

Residential
Building.

"Residential Building" means a building, other than a dwelling-house, designed for human habitation, together with such outbuildings as arc ordinarily used therewith, and includes a block of flats, tenements, boarding houses, hotels, residential clubs and hostels, but does not include any buildings mentioned whether by way of inclusion or exclusion in the definition of "Place of Instruction" and "Institution".

Social Hall.

"Social Hall" means a building designed to be used for social meetings, gatherings, and recreation, and includes a community centre, masonic temple and a non-residential club, but does not include a "Place of Amusement".

“Special Building” means a building designed for any use other than one of the uses for which the buildings herein defined are designed. Special building

“Tenement” means a building designed for use by more than one family. Tenement.

“Zone” means a portion of the area shown on the plan by distinctive colouring, hatching, or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed by this part of the Scheme on the erection and use of building or the use of land. Zone.

17. (a) Where a building is used, or a proposed building is designed, for more than one use, it shall be treated for the purpose of clauses 18 and 22 to 25 hereof as being used or designed partly for each of these uses, but for the purposes of the other provisions of this part of the Scheme it shall be treated as being used or designed for its predominant use and the Authority may, and shall, if the person having control of or proposing to erect, the building makes an application for that purpose, decide which is the predominant use. Buildings used for more than one purpose.

(b) The Authority shall give notice of any decision under this clause to the applicant.

18. (a) The purpose for which buildings—

(i) may be erected and used ;

(ii) may be erected and used only with the consent of the Authority and

(iii) may not be erected and used, in each case of the use zones specified in the following Schedule C are shown in the third, fourth and fifth columns of the Schedule respectively:

Erection and use of Buildings.

SCHEDULE "C"

Zone	Reference to Plan	Purpose for which buildings may be erected and used	Purposes for which buildings may be erected and used with the consent of the Authority	Purposes for which buildings may not be erected and used
1	2	3	4	5
General Residential	Coloured Yellow	Dwelling houses, flats, tenements, Residential Buildings.	Places of Assembly, Places of Amusement, Schools, Institutions, Public and special buildings, business premises, places of Public Worship.	Buildings for offensive trades or industry.
Middle Class Residential	Coloured Yellow edged deep yellow.	Dwelling houses and residential Buildings other than tenements.	Places of Assembly, Schools, Institutions, Places of Public Worship and Residential Buildings.	do.
Special Middle class Residential	Coloured Yellow hatched deep yellow	Dwelling houses and flats.	do.	do.
High class Residential Private and Government	Coloured light brown edged dark brown	do.	—	do.
Government Residential Area	Coloured light brown....	do.	—	do.
Government Junior Service Staff Area	Brown hatched dark brown.	Dwelling houses, flats, residential Buildings.	—	do.
Business and Commercial.	Coloured blue ...	Mercantile Buildings, business premises, combined residential and Mercantile Buildings.	Noxious Industrial Buildings.	—
Industrial ...	Coloured purple	Industrial buildings	Warehouses and Stores, private Hospital, Dwelling houses and flats, Noxious industrial buildings.	do.
Public Buildings	Coloured Venetian Red and hatched deep Venetian Red.	Government Offices, Hospitals, Dispensaries, Police Station Barracks.	Residential Buildings, Special Buildings.	Buildings for offensive trades or industry.
Foreshore zoning	Edged and hatched blue.	Warehouses and Stores.	Special Buildings.	Logging Beaches.
Special Reservations	Coloured Grey...	Markets	Recreation grounds	Buildings for offensive trade and industry.
Special Reservations ...	Coloured Orange	Lorry Parks ...	Plantations for economic crops.	Buildings for offensive trade and industry.
Special Reservations	Edged and hatched green...	Agriculture ...	Plantations for economic crops.	Buildings for offensive trade and industry.
Special Reservations	Coloured green edged yellow.	Burial grounds ...	Plantations for economic crops.	Buildings for offensive trade and industry.
Missions and Schools	Coloured Green and hatched deep Green.	Schools, Institutions, Places of Public Worship.	Residential Buildings, Recreation Grounds, Agriculture.	Buildings for offensive trades and industry.

Provided that the Authority may permit the erection within any zone of a substation for electricity supply purpose or any other buildings rendered necessary in the provision of public services:

Provided that an existing building, or an existing work, which is not in conformity with the provisions of this Scheme relating to the erection and use of buildings and use of lands, may be maintained and may be used for its existing use until notice is served on the owner and on the occupier as provided by section 29 of the Ordinance or the Authority has acquired the existing building or existing work.

(b) No person shall use, or cause or allow to be used, any building or portion thereof for use other than that for which it has been erected, unless such building has been altered for any such proposed new use, and any necessary consent of the Authority has been obtained therefor.

(c) Subject to the provisions of clause 18 hereof, where any application is made to the Authority for its consent to the erection and use of a building in a zone in which a building of the type proposed may be erected and used only with the Authority's consent, the Authority may give or withhold its consent and shall, in giving consent, be entitled to impose such conditions as it may deem fit, governing the erection or use of such building:

Provided that consideration shall be given to the question whether the use for which the building is intended or designed is likely to be detrimental to the amenity of the neighbourhood; including, without restricting the generality of the foregoing, in the case of an industrial building injury due to the emission of smoke, smell, dust or noise.

(d) In this clause the expression "the erection and use" of a building for a particular use includes the conversion of the building, whether or not involving the structural alteration thereof, to that use.

(e) Nothing in the clause contained shall be deemed to exempt from or excuse compliance with any of the Regulations and Bye-laws for the Sapele Township not inconsistent herewith.

19. (a) The use of land comprised in a use zone, whether forming the site of a building or not, shall not be commenced without the consent of the Authority: Use of Land.

Provided that existing use of land may be continued until notice is served on the owner and the occupier as provided by section 29 of the Ordinance or until the Authority has acquired the land.

(b) No land comprised in any zone shall be used for the purpose of refuse tipping, sewage disposal or cemeteries without the consent of the Authority.

(c) Subject to the provisions of the next succeeding clause with respect to the application for special use, if an application is made to the Authority for its consent to the use of the land for a purpose for which its consent is required, the Authority shall notify the applicant of its decision.

20. Without prejudice to any powers of the Sapele Township derived from any other Ordinance or Law, or to the remainder of this Scheme, nothing in the foregoing provisions of this part of the Scheme shall be construed as prohibiting or restricting or enabling the Authority to prohibit or restrict:— Saving for special purpose.

(a) The mining of minerals by underground working.

(b) The use of land required for the purposes of an open air sports or recreation ground ordinarily open to the public on payment of a charge.

(c) The letting, by any occupant of a dwelling-house or any part of the house otherwise than as a separate tenement;

(d) The occasional use of a place of public worship, place of instruction, or institution as a place of amusement or social hall;

(e) The practice by any occupant of a dwelling-house or residential building of a profession or occupation which does not involve either:—

(i) the use of the building as an industrial building or noxious industrial building; or

(ii) the public display of goods, whether in a window or otherwise; or

(iii) the exhibition of any notice or sign other than a notice or sign ordinarily exhibited on a dwelling-house to indicate the name and profession or occupation of the occupant; or

(iv) an interference with the amenities of the neighbourhood.

DENSITY, COVERAGE, HEIGHT AND SPACE ABOUT BUILDINGS

(a) Density

Area,
Frontage and
Density.

21. (1) The minimum area that may be laid out as a plot for an existing or intended building designed for use or partially for use as a dwelling-house in a density zone indicated in columns 1 and 2 of Schedule D below shall be the area indicated in column 3 of the Schedule.

The density of dwelling-houses in a density zone indicated in columns 1 and 2 shall not exceed that shown in column 5 of Schedule D and the frontage of any plot shall not be less than that shown in Column 6 of Schedule D.

SCHEDULE "D"

1	2	3	4	5	6
Use Zone No. or reservation	Reference to Scheme Plan Coloured	Locality	Minimum area of each plot sq. ft.	Average dwelling house per acre of building plot	Minimum frontage of each plot
Public Building (Hospital)	Venetian Red (hatched)	Area bounded by Business Area on west, Government Residential Area and open space on east, Benin River on North, and Market Road on South.	50,000	1	200
(a) Government and Private Residential Area	Light brown edged dark	Area bounded by Market Road, Warr Road, Abrahall's Road, Wilkes Road, and MacLaren Road.	50,000	1	—
(b) do.	do.	Area bounded by Wilkes Road, Shute Lane Abrahall's Road, Major Bowen Street, Open space, Township Boundary and MacLaren Road.	do.	do.	do.
(c) do.	do.	Area bounded by Market Road, MacLaren Road, Police Barracks and open space.	do.	do.	do.
Government Junior Service Staff Residential Area	Brown (hatched)	Area bounded by open space, Township Boundary, Carey Road and Yoruba Road.	5,000	8	50
Government Junior Service Staff Residential Area	Brown (hatched)	Area bounded by Palm Avenue extension, Chichester Road, Uthobo Road extension and Court Road.	5,000	8	50
Special Middle Class Residential Area	Yellow (hatched)	Area bounded by Police Barracks on the east, Chichester Road extension on the west, Civic Centre and open space on the North, Yoruba Road extension on the South except open space No. A7 and European Cemetery.	12,500	4	100

(b) Coverage

Coverage
for buildings
in all zones.

22. A building shall not be erected within any use zone so as to cover a greater percentage of the area of the plot on which it is to be erected than that indicated in Schedule E and unless for the purpose of putting into effect a provision of Part II of the Scheme, no plot on which a building is erected shall be reduced in area so that, in relation to the reduced plot, the area covered by the building exceeds the percentage that is indicated in Schedule E.

Save that the provisions of this section shall not apply within the Business and Commercial Zone to—

(a) any floor of a building used as a store, Business Premises, Place of Public Worship, Place of Amusement or Social Hall where such floor is used solely for the housing of vehicles other than for the purposes of the exhibit, sale or repair of such vehicles.

(b) any floor of a building used as a store, Business Premises, Place of Public Worship, Place of Amusement or Social Hall and having a frontage of at least forty feet on each of three or more streets:

Provided that the erection of a building containing Stores or Business Premises on its lower floors and flats on its upper floors may be permitted to cover at each floor level a percentage of the total area of the plot indicated for the particular use in Schedule E:

Provided that no upper floor shall cover a greater area of the plot than any lower floor.

SCHEDULE "E"

Percentage of area of plot that may be covered by a building used as :—

Use Zone or Sub-Zone	Dwelling House	Block of flats residential buildings	Place of Public Worship Institutions	Place of Instruction, Place of Amusement, Social Hall	Business Premises and other permitted buildings	Industrial Buildings
1. Residential	50	50	70	70	70	—
2. Business & Commercial	70	70	70	70	70	70

23. In calculating the area that may be covered by a building, the area covered must include that covered by central wells or courtyards that do not exceed ten feet square, outbuildings, verandahs, balconies, porticos, and bay windows.

Coverage Calculation.

24. In the foregoing section of this part of the Scheme "area of plot" excludes any portion of the plot that :—

Interpretation.

(i) has been encroached upon by the use of that portion by the public as a street, or part of a street and which in the opinion of the Authority should continue to be used as a street, or part of a street ;

(ii) is reserved under Part II of the Scheme ;

(c) Height

25. No buildings shall be erected so that any part thereof shall project above a line drawn from a point at street level at the opposite side of the street at an angle to the horizontal specified in the following Schedule for the use zone specified therein :—

Height of Buildings.

SCHEDULE "F"

No.	Use Zone	Reference to Plan	Angle
I	Residential	Yellow	30°
II	Business and Industrial	Blue and Purple	45°

If a building occupies a site at the corner of two intersecting streets of unequal width the allowable height of that part of the building for a distance of fifty (50) feet, measured along the narrower street shall be determined by reference to the width of the wider street.

For the purposes of this clause account shall be taken of projections but not of chimneys, or of ornamental towers, turrets or any other architectural features ; and the height of a building shall be measured from the mean level of the ground surrounding the building to the top of the parapet, or to a point half-way between the eaves and apex of the roof, whichever is the higher.

(d) Space about Building

26. (1) For the purposes of clause 27 the term building shall refer to all the buildings to be erected on a site with the exception of outbuildings, but shall include industrial buildings, wholesale buildings and offices.

Exclusions from provisions concerning.

(2) For the purposes of clause 27 the term outbuildings shall include garages for the use of not more than two private vehicles, servants' quarters, kitchens, private bathrooms, latrines and laundries, chicken coops, stores, stables for horses, goats and sheep.

Space about buildings.

27. (1) Every building in the use zone specified in Schedule G below shall have on its sides a space between the external wall of the building and the side boundary of its site free of all buildings and outbuildings not less than the dimension measured at right angles of the building indicated in columns 6 and 7 of Schedule G below:

Provided that where the side boundaries of a site abut on a street sanitary lane or an open space reserved in the first part of this Scheme then no space free of buildings need be left along those boundaries, subject to compliance with Part III of this Scheme.

(2) No dwelling-houses or residential buildings shall be erected nearer to its rear boundary than a distance of thirty feet except where the rear boundary abuts on a street or open space.

No building or floor of a building erected solely for the purpose of stores or business premises shall be erected nearer to its rear boundary than 10 feet.

Single storey general and parking garages may be erected on and along the whole length of the rear and side boundaries of their sites.

Outbuildings may be erected against the rear boundary of any site if at least one third of the length of the boundary is kept clear of buildings.

SCHEDULE "G"

1 No.	2 Zone	3 Building:	4 Where the frontage is not less than	5 Where the frontage is not more than	6 Minimum one side	7 Clearance (Feet) other side
1	Residential	Dwelling houses, places of worship, institutions, social halls.	200 feet 100 feet 60 feet 40 feet	—	5 10 10 10	5 10 5 —
2	Business			99 feet 39 feet		

(3) Where by reason of any act or omission in the erection of a building or structure the design or external appearance of such building or structure would in the opinion of the Authority:—

- (a) disfigure the locality, or
- (b) detract from the amenities of the neighbourhood, or
- (c) cause depreciation of the value of the properties in the locality, or
- (d) be detrimental to the general environment, such act or omission shall be a contravention of the provisions of this Scheme.

PART V.—DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS OR STRUCTURES

Submissions of Plans and details of external appearance.

28. (1) A person intending to erect a building or structure in any part of the planning area must, if the Authority so requires, furnish, in addition to any plans and information required to be submitted under the Sapele Township Building Rules, drawings or other sufficient indication of the design and external appearance of the proposed building or structure, including such description of the materials to be used in the construction, as may be necessary for that purpose, all of which are hereafter in this Part referred to as "the particulars".

(2) The drawing shall be upon suitable and durable material to a scale of not less than one inch to every eight feet, except that, where the building or structure is so extensive as to render a smaller scale necessary, the drawing may be to a scale of one inch to every sixteen feet.

29. (1) The Authority if it considers that, having regard to the character of the locality or of the buildings erected or proposed to be erected therein, the design and external appearance of the buildings or structure in accordance with the particulars would :—

Prohibition of unsuitable Buildings.

(a) disfigure the locality, or

(b) detract from the amenities of the neighbourhood or

(c) cause depreciation of the value of properties in the locality, or be detrimental to the general environment in the vicinity, shall prohibit the erection of the building or structure.

PART VI.—DEVELOPMENT OF LAND

30. No development and layout of land in plots and streets may be made without the prior consent of the Authority and subject to such conditions as the Authority may deem necessary to impose.

No development without permit.

31. The conditions imposed by the Authority in permitting the development and layout of land in plots and streets may include the relinquishment without compensation of such land for streets, as the Authority may consider necessary for proper development of the land:

Conditions imposed in permit.

Provided that the Authority may at its discretion in cases of hardship make an ex gratia payment to any person adversely affected.

32. For the purpose of facilitating such adjustments of boundaries of plots as will secure the proper development of land the Authority may agree with owners and occupiers of land for the exchange between those persons of portions of land, either with or without payment of money by way of equality of exchange.

Adjustments of boundaries of plots.

PART VII.—AMENITIES

33. (1) If at any time the Authority, having regard to the amenity of any part of the Area or to the preservation of particular trees for any reason, is opinion that any growing tree ought to be preserved, it may register the trees for the purposes of this clause and shall thereupon notify the owner and occupier of the land upon which the tree is growing that the tree has been registered.

Preservation of trees for fetish land-mark amenity.

(2) The register of trees made shall be open to inspection at all reasonable times.

(3) The following provisions shall have effect in regard to a tree registered under this clause :—

No person shall cut down, lop, tap or wilfully destroy any such tree except—

(a) in compliance with an obligation imposed by or under any Ordinance ; or

(b) in pursuance of a power conferred on the Postmaster General by virtue of section 7 (c) of the Telegraphs Ordinance (Cap. 213) in respect of an existing line, or

(c) in the case of a statutory authority or statutory undertakers, in the exercise of any powers conferred on the authority or undertakers by or under any Ordinance.

(4) The Authority may at any time cancel the registration of any tree registered as aforesaid and shall thereupon make an appropriate alteration in the register of trees and notify the owner or occupier of the land upon which the tree is growing of the cancellation and as from the date of such cancellation the provisions of this clause shall cease to apply to such tree.

Maintenance of private garden, etc.

34. (1) Where it appears to the Authority that the amenity of any use zone or of any open space is seriously injured by the condition of any building, fence, garden or curtilage in the area, the Authority may serve a notice on the person by whose action or omission the injury arises (including the owner or occupier of the premises) requiring him, within such period, not being less than twenty-eight days from the date of service, as may be specified in the notice, to take such action as may be necessary to abate the injury.

(2) The occupier of any land or premises (or the owner if the said land or premises are unoccupied or if the occupier cannot be found) which abut on a street or on land reserved under clause 9 hereof for use as a street shall keep clean and free from long grass and weeds and all nuisances or obstructions to pedestrians (subject to clause 33 hereof) so much of the said street or land reserved as abuts on his land or premises up to but not including the drains or gutter and where no drain or gutter exists up to the edge of the carriage way or where no defined carriage way exists to the centre of the road, and the Authority may serve a notice on such occupier or owner as aforesaid requiring him, within such period, not being less than fourteen days from the date of service, as may be specified in the notice, to take such action as may in the opinion of the Authority be necessary or desirable including the planting and/or cultivation of grass, trees or shrubs.

(3) If the person on whom a notice is served under sub-clause (1) or (2) hereof fails to comply with the notice, the Authority may cause a complaint to be made to a Magistrate's Court having jurisdiction in the area, and the Court may issue a summons requiring the person to appear before it, and, if satisfied that the alleged injury exists, or that the action specified in the notice is necessary or desirable, may make an order directing the person to comply with the notice and to do anything necessary for the purpose within a time specified in the order.

Failure to comply with such an order shall be contravention of this Scheme. The order may also empower the Authority itself to take any action which the person has been directed to take if he fails to do so, and the Authority may recover the cost of taking any such action from the person summarily as a civil debt.

35. (1) No advertisement hoardings shall be erected or advertisements displayed, without the consent of the Authority.

(2) If application is made to the Authority for its consent under this clause, the Authority shall be entitled to impose such conditions as it may deem fit governing the erection and use of any such hoarding or the display of any such advertisements. Provided that consideration shall be given to the question whether the erection and use of any such hoarding or the display to the amenities of the neighbourhood.

(3) No consent shall be given for the erection of any hoarding or the display of any advertisement and no such hoarding or advertisement shall be erected or displayed on land included in the Special Residential use zone (land coloured yellow hatched or edged deep yellow on the plan) or on any land reserved under this Scheme for any purpose whatsoever other than Sanitary areas.

ings.

(4) Notwithstanding the foregoing nothing in this clause contained shall be deemed to prohibit or restrict the following advertisements.

(a) A metal plate or board not exceeding 24 inches by 18 inches in size affixed to the fence or entrance door or gate of any premises.

(b) Advertisements relating solely to a trade or business conducted or to an entertainment, meeting, auction or sale to be held upon the land or in the building upon which the advertisements are displayed.

(c) Fascia boards affixed to business premises, industrial buildings, institutions, parking garages, petroleum filling stations, places of amusement, places of instruction, places of public worship, general garages, stores or social halls.

(d) Advertisement on the door or in the window of building not being within the General Residential use zone:

Provided that such advertisements do not contain letters, figures, emblems or devices exceeding 12 inches in height and do not extend to a height greater than 12 feet from the ground or in the case of advertisements affixed to the exterior of a building do not extend higher than the eaves thereof.

(5) The Authority may, subject to the provisions of this clause, authorise the display of any particular class of advertisement either unconditionally or subject to conditions in respect of the position or manner in which, or the period during which, the advertisement may be displayed.

36. (1) For the purpose of preventing obstruction of traffic on any street or intended street to which a building proposed to be used for the purpose of business, commerce, industry, or entertainment, would have access, suitable and sufficient accommodation as approved by the Authority shall be provided within the site of the proposed building for any loading, unloading or fuelling of vehicles which is likely to be habitually involved in connection with the use of the building:

Provision of loading accommodation.

(2) Provided that where the Authority is satisfied that the proposed development of a site of the purpose of business, commerce, industry or entertainment would not lead to obstruction of traffic on any street or intended street the Authority may on application by any person in writing give permission for the development of the site without provision of loading accommodation.

37. (1) After the approved date the erection of overhead transmission lines, telegraph and telephone lines, aerial cable ways and their auxiliary structures and other visible apparatus shall, save with prior consent of the Authority, be prohibited within the area comprised within the Scheme.

Prohibition of erection of overhead line and cable ways.

PART VIII.—MISCELLANEOUS

38. Where permission to erect any building, or execute any work, or to use any building or land for any particular purpose, or to do any other act or thing is granted under this Scheme, and conditions have been imposed, the conditions shall have the same force and effect, and shall be regarded as if they were part of this Scheme.

Binding force of conditions imposed.

39. (a) The Authority shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consents, authorities or permissions granted by it, and of any conditions imposed or agreed between the Authority and the applicant in connection therewith.

Record of permission and conditions.

(b) Any person desiring to inspect such record shall pay the Authority in advance, the sum of two shillings and six pence (2s 6d).

40. The Authority shall have power from time to time to make any minor adjustment of the site of any proposed street and consequential adjustment of a building line or the boundary of any zone.

Minor adjustment in detail of Scheme.

Consent of the Authority to be in writing. 41. In all cases where the consent, authority or permission of the Authority is required to be given under this Scheme, such consent, authority or permission shall be in writing.

Duration of Scheme. 42. This Scheme shall commence on the day on which it is approved by order of the Governor and shall, subject to any variation by any subsequent scheme, continue in operation until revoked.

Agreements. 43. (1) The Authority may enter into agreements consistent with the provisions of this Scheme in relation to any matters with which a scheme made under the Ordinance may deal.

(2) Agreements entered into by the Authority in pursuance of this Scheme shall be entered into under the hand of the Secretary and Chairman after Resolution by the Authority.

(3) The Authority shall have power to enforce any covenant contained in an agreement of the kind referred to in this clause against persons deriving title under the covenantor in the like manner and to the like extent as if the Authority were possessed of, or interested in, adjacent land, and as if the covenant had been entered into for the benefit of that adjacent land.

Notices. 44. The notices to be served for the purposes of this Scheme shall be in the form prescribed by the Sapele Planning Authority.

Notice of claim for betterment. 45. Wherever any property is increased in value by the coming into operation of any provision of the Scheme and/or by the execution of any work under the Scheme, the Authority may serve a notice claiming betterment upon the person whose property is increased in value in accordance with the provision of section 44 of the Ordinance equal to half the difference between the value of the property as determined under section 44 of the Ordinance, and the enhanced value of the property after the coming into operation of the provisions of the Scheme and/or the execution of the work as far as such enhancement is due solely to the provisions of the Scheme or the execution of the work and not to other factors such as market tendencies.

Betterment payable by instalments. 46. The Authority may if it thinks fit agree with the person whose property is increased in value, for payment of the betterment by instalments which payment shall be of such amounts sufficient to discharge the claim together with interest thereon not exceeding five pounds *per centum* per annum in such period not exceeding thirty years.

Betterment payable on vacant or disused property. 47. Betterment shall be payable whether the property on which it is levied is occupied or vacant, or whether the property is in use or not in use.

Apportionment of cost of construction of municipal works. 48. The manner of construction, in so far as it is not inconsistent with the provisions of this Scheme, and the apportionment of cost of the construction and of the maintenance thereafter of any work, which but for the provisions of the Ordinance would be executed by a Township and the cost thereof borne by the Township out of its revenue, shall be determined by agreement between the Authority and the Township. Nothing in this clause shall be construed as preventing the Authority making a claim for betterment against any person whose property is increased in value by the execution of any work referred to in the clause.

Preventing the Pollution of wells. 49. (1) Every owner of land or buildings shall prevent the surface water and the seepage thereof from his land or building from entering any well used for the supply of water for any purpose whatsoever.

(2) Any default of the provisions of this clause shall be a contravention of the Scheme.

(3) In this clause owner of land and buildings includes a Township or other Authority responsible for drainage in the areas.

R. J. M. CURWEN,
Chairman,
Sapele Town Planning Authority

APPENDIX "A"

NOXIOUS INDUSTRIAL BUILDINGS (CLAUSE 14)

All buildings designed for the purpose of carrying on any of the following industries, business or trades, viz :—

Blood boiling
 Bone boiling
 Tallow melting
 Fat melting or extracting
 Soap boiling
 Tripe boiling or cleaning
 Skin storing and drying
 Bone storing
 Fellmongering
 Skin curing
 Gut scraping
 Leather dressing
 Tanning
 Glue making
 Fish curing
 Fish oil manufacture
 Charcoal burning
 Brick and Tile burning
 Manure storing
 Parchment making
 Malt making
 Yeast making
 Candle making
 Rubber latex coagulating
 Cement and Lime manufacture
 Coke ovens
 Salt glazing
 Sintering of Sulphur-bearing materials
 Smelting of ores and minerals
 Dyeing
 Cocoa butter manufacture.

W.R.L.N. 11 of 1954

ORDER IN COUNCIL made under THE NIGERIA TOWN AND COUNTRY PLANNING ORDINANCE (Cap. 155)

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 18 (1) of the Nigeria Town and Country Planning Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Sapele Planning Scheme No. 2 (approval) Order in Council, 1954.
2. The Planning Scheme known as the Sapele Planning Scheme No. 2 set out in the schedule hereto is hereby approved.

MADE by the Lieutenant-Governor in Council at Ibadan this 11th day of January, 1954.

T. N. ROSSER,
Clerk of the Executive Council

SCHEDULE
NIGERIA TOWN AND COUNTRY PLANNING ORDINANCE
(Cap. 155)
SCHEME

Made under section 13 of the Nigeria Town and Country Planning Ordinance. This Scheme may be cited as the Sapele Town Planning (No. 2) Scheme.

PART I.—GENERAL

Interpretation.

2. The Interpretation Ordinance (Chapter 94) shall apply for the purpose of interpreting this Scheme as it applies for the purpose of interpreting an Ordinance.

3. Where terms defined in the Nigeria Town and Country Planning Ordinance (hereinafter called "the Ordinance") are used in this Scheme such terms shall have the meanings assigned to them by the Ordinance, unless they are otherwise defined in this Scheme or are inconsistent with the subject or context.

Scheme Plan.

4. In this Scheme the term "Scheme Plan" refers to the plans prepared by the Authority in duplicate being sealed with the Official seal of the Authority marked "Scheme Plan T.P.W. No. 175 referred to in the Sapele Planning Scheme No. 2" and signed by the Chairman of the Authority in duplicate, one of which is deposited at the office of the Authority and the other in the offices of the Local Authority, Sapele.

Area of Scheme.

5. The area to which this Scheme applies consists of that part of the Sapele Township which lies within the broad grey boundary line on the Scheme Plan.

Application for consent of the Board in all cases.

6. Except where otherwise specifically stated in this Scheme no person shall subdivide or develop any land within the area to which this Scheme applies without the prior consent of the Authority. The Authority may grant to any person applying in writing permission in writing, subject to the provisions of this Scheme and to such conditions as the Authority may deem necessary to impose, to subdivide or develop land within the area to which this Scheme applies.

Applicants to furnish particulars.

7. The Authority in considering an application to develop or subdivide land shall be furnished, in addition to any plans and particulars that must be submitted to comply with the Sapele Township Building Rules, with such information that is necessary in the opinion of the Authority to secure that the development or subdivision of land will be in conformity with the provisions of this Scheme and in granting approval to such application the Authority may impose such conditions as it considers necessary to secure that the development or subdivision of land will be in conformity with the provisions of this Scheme.

Refusal of consent.

8. The Authority shall refuse its consent to subdivision or development of land that in its opinion is likely to constitute a departure from any provision of this Scheme.

PART II.—RESERVATION OF LANDS, OPEN SPACES, ETC., STREETS,
STREET WIDENINGS, CLOSING AND DEVIATION

Reservation of land.

9. The several pieces of land of the colours specified in column 1 of the following Schedule are reserved for the respective purposes indicated in column 2 of the Schedule.

SCHEDULE "A" PART I
RESIDENTIAL AREAS, ROADS, CAR PARKS, MARKETS,
SCHOOLS, PUBLIC BUILDINGS, BUSINESS AREA AND
OPEN SPACES

1 Colour and Number	2 Use
GREEN 1 TO 21	Open Spaces and Sports grounds
GREEN EDGED YELLOW 22 AND 23	Cemetery
GREEN HATCHED 24 TO 34	Missions and Schools
RED	Roads
BROWN EDGED RED	Road Widening
ORANGE 1 TO 3	Car Parks
BLUE 1 TO 3	Business Area
LIGHT BROWN EDGED DARK BROWN	Private Residential Area
YELLOW AND EDGED DEEP YELLOW	Special Residential
YELLOW	Residential
VENETIAN RED 1 TO 4	Public Buildings
GREY 1 TO 3	Markets.

10. (1) No person shall, except with the consent of the Authority, erect a building or execute works or make excavations on land reserved under clause 9 hereof, other than buildings, works or excavations required for or incidental to the purposes for which the land is reserved :

Buildings not to be erected on reserved land except in accordance with Scheme.

Provided that any such land may continue to be used for the purpose for which it was used on the date stated in the notice served on the owner and/or the occupier as provided by section 29 (2) of the Ordinance, or until the Authority has acquired the land:

Provided further that nothing herein contained shall be deemed to absolve any person from due compliance with the provisions of the Regulations or Bye-laws in force in Sapele Township in so far as they are not inconsistent herewith.

(2) Save as provided by sub-clause (1), no person shall use, spoil or waste land reserved under clause 9 hereof so as to destroy or impair its use for the purpose for which it is reserved :

Provided that the Authority may consent to the deposit on such land of waste materials or refuse, and in particular, but without affecting the generality of the foregoing, the reservation of land under clause 9 hereof shall not affect or diminish the liabilities or duties of owners or occupiers under the Public Health Ordinance (Cap. 183) or any Bye-laws or Regulations that may be in force.

(3) In giving its consent under this clause, the Authority may impose such conditions as it may think fit.

(4) Nothing in this clause shall be construed as prohibiting the reasonable fencing of reserved land.

11. The layout and zoning of land shall be subject to the approval of the Authority and all developments therein shall comply with the provisions of the Scheme.

Development of Land.

12. For the purpose of this part of the Scheme land shall be deemed to be used as a private open space if, and only if, it is used :—

Uses of Private open spaces.

(a) As an ornamental garden or pleasure ground or as a private ground for sports or recreation ground ordinarily open or intended to be ordinarily open to the public on payment of a charge : or

(b) as a farm for low growing crops, or grazing land and market gardens, other than land used wholly or principally for the purpose of a plantation, forest or firewood plantation.

Streets declared to be closed or diverted.

13. (1) Each of the street or portions of streets in the following Schedule (hatched red on the plan) shall be declared to be closed as from a date to be announced by the Authority.

(2) All public rights therein shall cease as from the aforesaid date, and the land shall be used for the purposes set out in the fourth column of Schedule B.

SCHEDULE "B"
STREETS DECLARED TO BE CLOSED OR DIVERTED

No. of street and colour	Name of Street	Locality	Purpose for which land may be used
BROWN hatched RED	Cemetery Road	From Ogado Road to Court Road.	Open Space

The diversion or closing of a street or road under this clause shall not affect any sewers, gas or water mains, electric cables or wires or other existing works lying on, over or under such street or road, and the responsible Authorities in each area shall have the same powers in relation thereto (including the power of inspecting, maintaining and repairing the works and connections thereto, and of entering upon the land for that purpose) as if the street or road had not been diverted or closed :

Provided that the Authority may, if it thinks fit, divert or transfer any such works, and execute any works necessary and incidental to such diversion or transfer, and may enter into agreement with the responsible authorities for the purpose.

PART III.—BUILDING LINES

Building lines.

14. The building line for any street and/or proposed street shall be in accordance with that laid down under the Sapele Township Rules.

Observance of building lines.

15. (a) No building other than boundary walls or fences or temporary structures erected in connection with building operations, or buildings permitted in pursuance of sub-clause (1) of clause 10 hereof, shall hereafter be erected on the land between the building line and the street boundary

(b) No goods, merchandise, wares or other obstructions shall be placed, deposited, kept or displayed in the area between the street boundary and any building line.

PART IV.—BUILDING RESTRICTIONS AND USE OF LAND

(i) Use of Land and Buildings

Interpretation.

16. In this part of the Scheme, except where the context otherwise requires, or it is otherwise expressly provided the following words and expressions have the respective meanings hereby assigned to them :

Agricultural Buildings.

"Agricultural Buildings" shall mean a building designed for use in connection with and which would ordinarily be incidental to, or reasonably necessary in connection with, the use of the site of that building as agricultural land.

"Business Premises" means a building designed for use as an office, for wholesale or retail trade, or for any other business purpose, but does not include a place of instruction or place of amusement, or any building mentioned, whether by way of inclusion or exclusion, in the definition of "institution" or a building designed for use as a general garage, industrial building or noxious industrial building.

Business Premises.

"Dwelling-house" means a house designed for use as a dwelling for a single family, together with such outbuildings as are ordinarily used therewith.

Dwelling-house.

"Existing Use" means, in relation to any building or land, continuous use of that building or land for any purpose of the same or in the opinion of the Authority a similar character to that for which it was being used before the declared date (13th July 1950) or, in the case of a newly erected building erected before such date, which has not been used before such date, a use for any purpose for which it was designed, including, in any case, any use of a building or land permitted by the Authority pending the preparation and approval of this Scheme provided that the discontinuance of the existing use of a building at any time after the date of approval for a period exceeding twelve months shall be deemed to interrupt the continuous use.

Existing use.

"Flat" means any suite of rooms, not being a single dwelling-house designed for use by a single family, contained in a building.

Flat.

"Industrial Building" means a building, other than a noxious industrial building designed for manufacture and includes any other office or other building within the same site the use of which is incidental to, and such as would ordinarily be incidental to, or reasonably necessary in connection with manufacture.

Industrial Building.

"Institution" means a building designed for use as a public or charitable institution, hospital, nursing home, sanatorium, clinic, or dispensary whether public or private, but does not include buildings designed wholly or principally for any of the following uses, namely as

Institution.

(i) a hospital, sanatorium dispensary, or clinic for the treatment of infectious or contagious diseases ;

(ii) a certified institution certified house or approved home for mental defectives ;

(iii) a mental hospital ;

(iv) a public assistance institution ;

(v) a penal institution.

"Noxious Industrial Building" means a building designed or used for the purpose of carrying on any of the offensive trades specified in Appendix "A" to these clauses and includes any office or other building within the same site, the use of which is incidental to, or reasonably necessary in connection with the use of such Noxious Industrial Building.

Noxious Industrial Building.

Provided that where the Authority with the approval of the Governor, adds to the list of noxious trades set forth in Appendix "A" to these clauses such additions should also be deemed to be included in the above definition.

"Parking Garage" means a building designed for the purpose of parking motor vehicles, and for the sale of petrol, oil and accessories but does not include a building, any part of which is designed for use as a workshop for the assembly or repair of motor vehicles.

Parking Garage.

- Petroleum Filling.** "Petroleum Filling Station" means a building designed for the purpose of the sale only of petroleum, oil and other fuels or lubricants used in connection with motor vehicles and includes an office and store rooms for use in connection therewith.
- Place of Amusement.** "Place of Amusement" includes, *inter alia*, a building designed for use as a public hall, theatre, cinema, music hall, concert hall, billiard saloon, sports arena, skating ring, swimming bath, or dance hall, or for the purpose of exhibitions of trade or industry.
- Place of Instruction.** "Place of Instruction" means a building designed for use as a school, college, technical institute, academy, lecture hall or other educational centre, and includes a monastery, museum, gymnasium, but does not include a building designed for use wholly or principally as a certified reformatory or industrial school, or as a school for mentally defective children.
- Place of Public Worship.** "Place of Public Worship" means a building designed for use as a church, chapel, mosque, fetish house, meeting house, or other place of public devotion, and includes a building designed for use as a Sunday School, and an institute or other buildings designed for purpose of social intercourse and recreation, within the same sight as, and in association with, any of the foregoing buildings.
- General Garage.** "General Garage" means a building designed for the purpose of assembly or repair of motor vehicles.
- Residential Building.** "Residential Building" means a building, other than a dwelling-house, designed for human habitation, together with such outbuildings as are ordinarily used therewith, and includes a block of flats, tenements, boarding houses, hotels, residential clubs and hostels, but does not include any building mentioned whether by way of inclusion or exclusion in the definition of "Place of Instruction" and "Institution".
- Social Hall.** "Social Hall" means a building designed to be used for social meetings, gatherings and recreation, and includes a community centre, masonic temple and a non-residential club, but does not include a "Place of Amusement".
- Special Building.** "Special Building" means a building designed for any use other than one of the uses for which the buildings herein defined are designed.
- Tenement.** "Tenement" means a building designed for use by more than one family.
- Zone.** "Zone" means a portion of the area shown on the plan by distinctive colouring, hatching or edging, or in some other distinctive manner for the purpose of indicating the restrictions imposed by this part of the Scheme on the erection and use of building or the use of land.
- Buildings used for more than one purpose.** 17. (a) Where a building is used, or a proposed building is designed, for more than one use, it shall be treated for the purpose of clauses 18 and 22 to 25 hereof as being used or designed partly for each of these uses, but for the purposes of the other provisions of this part of the Scheme it shall be treated as being used or designed for its predominant use and the Authority may, and shall, if the person having control of, or proposing to erect, the building makes an application for that purpose, decide which is the predominant use.
- (b) The Authority shall give notice of any decision under this clause to the Applicant.

18. (a) The purpose for which buildings
(i) may be erected and used ;
(ii) may be erected and used only with the consent of the Authority; and
(iii) may not be erected and used;
in each case of the use zones specified in the following Schedule "C" are shown in the third, fourth and fifth columns of the Schedule respectively.

SCHEDULE "C"

Zone 1	Reference to Plan 2	Purposes for which buildings may be erected and used 3	Purposes for which buildings may be erected and used with the consent of the Authority 4	Purposes for which buildings may not be erected and used 5
General Residential	Coloured Yellow	Dwelling houses, flats, tenements, residential Buildings	Places of Assembly, Places of Amusement, Schools Institutions Public and Special Buildings, Business Premises, Places of Public Worship	Buildings for offensive trades or industry.
Special Residential	Coloured Yellow edged Deep Yellow	Detached dwelling-houses and Residential buildings	Places of Assembly, Schools, Institutions, Places of Public Worship and Residential buildings	Buildings for offensive trades or industry.
High Class Residential Private and Government	Coloured Light Brown edged Dark Brown	Dwelling houses and flats	Nil ...	do.
Business and Commercial	Coloured Blue ...	Mercantile buildings, business premises, combined residential and mercantile buildings.	Noxious Industrial Buildings	Nil.
Public Buildings	Coloured Venetian Red	Government Offices, Hospitals, Dispensaries, Police Station, Barracks	Residential Buildings, Special Buildings	Buildings for offensive trades or industry.
Foreshore Zoning	Edged and hatched Blue	Warehouses and Stores	Special Buildings ...	Logging Beaches
Special Reservations	(a) Coloured Grey	Markets ...	Recreation Grounds	Buildings for offensive trades or industry.
do.	(b) Coloured Orange	Lorry Parks ...	Plantations for economic crops.	do.
do.	(c) Hatched and Edged Green	Agriculture ...	do.	do.
do.	(d) Coloured Green Edged Yellow	Burial Grounds ...	do.	do.
Missions and Schools	Coloured Green and hatched Deep Green	Schools, Institutions, Places of Public Worship	Residential buildings, Recreation Grounds, Agriculture	do.

Provided that the Authority may permit the erection within any zone of a substation for electricity supply purpose or any other buildings rendered necessary in the provision of public services.

Provided that an existing building, or an existing work, which is not in conformity with the provisions of this Scheme relating to the erection and use of the buildings and use of lands, may be maintained and may be used for its existing use until notice is served on the occupier as provided by section 29 of the Ordinance or the Authority has acquired the existing building or existing work.

(b) No person shall use, or cause or allow to be used, any building or portion thereof for a use other than that for which it has been erected, unless such building has been altered for any such proposed new use, and any necessary consent of the Authority has been obtained therefor.

(c) Subject to the provisions of clause 18 hereof, where any application is made to the Authority for its consent to the erection and use of a building in a zone in which a building of the type proposed may be erected and used only with the Authority's consent the Authority may give or withhold its consent and shall, in giving consent, be entitled to impose such condition as it may deem fit, governing the erection or use of such building.

Provided that consideration shall be given to the question whether the use for which the building is intended or designed is likely to be detrimental to the amenity of the neighbourhood, including, without restricting the generality of the foregoing, in the case of an industrial building injury due to the emission of smoke, smell, dust or noise.

(d) In this clause the expression "the erection and use" of a building for a particular use includes the conversion of the building, whether or not involving the structural alteration thereof, to that use.

(e) Nothing in the clause contained shall be deemed to exempt from or excuse compliance with any of the Regulations and Bye-laws in force in the Sapele Township not inconsistent herewith.

Use of land.

19. (a) The use of land comprised in a use zone, whether forming the site of a building or not, shall not be commenced without the consent of the Authority.

Provided that existing use of land may be continued until notice is served on the owner and the occupier as provided by section 29 of the Ordinance or until the Authority has acquired the land.

(b) No land comprised in any zone shall be used for the purpose of refuse tipping, sewage disposal or cemeteries without the consent of the Authority.

(c) Subject to the provisions of the next succeeding clause with respect to the application for special use, if an application is made to the Authority for its consent to the use of the land for a purpose for which its consent is required, the Authority shall notify the applicant of its decision.

Saving for special purpose.

20. Without prejudice to any powers of the Sapele Township derived from any other Ordinance, or to the remainder of this Scheme, nothing in the foregoing provisions of this part of the Scheme shall be construed as prohibiting or restricting, or enabling the Authority to prohibit or restrict :—

(a) the mining of minerals by underground working ;

(b) the use of land required for the purpose of an open air sports or recreation ground, not being a sports or recreation ground ordinarily open to the public on payment of a charge ;

(c) the letting, by any occupant of a dwelling-house or any part of the house otherwise than as a separate tenement ;

(d) the occasional use of a place of public worship, place of instruction, or institution as a place of amusement or social hall ;

(e) the practice by any occupant of a dwelling-house or residential building of a profession or occupation which does not involve either :—

(i) the use of the building as an industrial building or noxious industrial building ; or

(ii) the public display of goods, whether in a window or otherwise ;

or

(iii) the exhibition of any notice or sign other than a notice or sign ordinarily exhibited on a dwelling-house to indicate the name and profession or occupation of the occupant ; or

(iv) an interference with the amenities of the neighbourhood.

DENSITY, COVERAGE, HEIGHT AND SPACE ABOUT BUILDINGS

(a) *Density*

21. (1) The minimum area that may be laid out as a plot for an existing or intended building designed for use or partially for use as a dwelling-house in a density zone indicated in columns 1 and 2 of Schedule D below shall be the area indicated in column 3 of the Schedule.

Area,
Frontage and
Density.

The density of dwelling-houses in a density zone indicated in columns 1 and 2 shall not exceed that shown in column 5 of Schedule D and the frontage of any plot shall not be less than that shown in column 6 of Schedule D.

SCHEDULE "D"

1	2	3	4	5	6
Use Zone No. or reservation	Reference to Scheme Plan coloured	Locality	Minimum area of each plot sq. ft.	Average dwelling house per acre of building	Minimum frontage of each plot
Special Residential Area	Yellow edged Deep Yellow	All the Area between Carey Road and the Agricultural Reservations West of Ogodo Village excluding those Areas coloured Light brown edged Dark Brown, Green and Green hatched and Venetian Red.	5,000	8	50
Government and Private Residential Area.	Brown Edged Dark Brown	Area South of Township Boundary and East of MacLaren Road bounded by Open Spaces Nos. 18 and 19.	50,000	1	200

(b) *Coverage*

22. A building shall not be erected within any use zone so as to cover a greater percentage of the area of the plot on which it is to be erected than that indicated in Schedule E and unless for the purpose of putting into effect a provision of Part II of the Scheme, no plot on which a building is erected shall be reduced in area so that, in relation to the reduced plot, the area covered by the building exceeds the percentage that is indicated in Schedule E.

Coverage for
buildings in
all zones.

Save that the provisions of this section shall not apply within the Business and Commercial Zone to—

(a) any floor of a building used as a store, business premises, Place of Public Workshop, Place of Amusement or Social Hall where such floor is used solely for the housing of vehicles other than for the purposes of the exhibit, sale or repair of such vehicles ;

(b) any floor of a building used as a store, Business Premises, Place of Public Worship, Place of Amusement or Social Hall and having a frontage of at least forty feet on each of three or more streets:

Provided that the erection of a building containing Stores or Business Premises on its lower floors and Flats on its upper floors may be permitted to cover at each floor level a percentage of the total area of the plot indicated for the particular use in Schedule E:

Provided that no upper floor shall cover a greater area of the plot than any lower floor.

SCHEDULE "E"

Use Zone or Sub-Zone. Percentage of area of plot that may be covered by a building used as :—

	Dwelling House	Block of flats Residential Buildings	Place of Public Worship Institutions	Place of Instruction, place of Amusement, Social Hall	Business premises and other permitted buildings	Industrial buildings
1. Residential	50	50	70	70	70	—
2. Business and Commercial	70	70	70	70	70	70

Coverage Calculation. 23. In calculating the area that may be covered by a building, the area covered must include that covered by central walls or courtyards that do not exceed ten feet square, outbuildings, verandahs, balconies, porticos and bay windows.

Interpretation. 24. In the foregoing sections of this part of the Scheme "area of plot" excludes any portion of the plot that :—

(i) has been encroached upon by the use of that portion by the public as a street, or part of a street and which in the opinion of the Authority should continue to be used as a street, or part of a street ;

(ii) is reserved under Part II of the Scheme.

(c) Height

Height of Buildings. 25. No building shall be erected so that any part thereof shall project above a line drawn from a point at street level at the opposite side of the street at an angle to the horizontal specified in the following schedule for the use zone specified therein :—

SCHEDULE F

No.	Use zone	Reference to Plan	Angle
I ...	Residential	Yellow	30°
II ...	Business and Institution	Blue and Purple	45°

If a building occupies a site at the corner of two intersecting streets of unequal width the allowable height of that part of the building for a distance of fifty (50) feet, measured along the narrower street shall be determined by reference to the width of the wider street.

For the purpose of this clause account shall be taken of projections but not of chimneys, or of ornamental towers, turrets, or any other architectural features ; and the height of a building shall be measured from the mean level of the ground surrounding the building to the top of the parapet, or to a point half-way between the eaves and apex of the roof, whichever is the higher.

(d) Space about Buildings

Exclusions from provisions concerning. 26. (1) For the purpose of clause 27 the term building shall refer to all the buildings to be erected on a site with the exception of outbuildings, but shall include industrial buildings, wholesale buildings and offices.

(2) For the purposes of clause 27 the term outbuildings shall include garages for the use of not more than two private vehicles, servants quarters, kitchens, private bathrooms, latrines and laundries, chicken coops, stores, stables for horses, goats and sheep.

27. (1) Every building in the use zone specified in Schedule G below shall have on its sides a space between the external wall of the building and the side boundary of its site free of all buildings and outbuildings not less than the dimension measured at right angles of the building, indicated in columns 6 and 7 of Schedule G below: Space about buildings.

Provided that where the side boundaries of a site abut on a street, sanitary lane or an open space reserved in the first part of this Scheme then no space free of buildings need be left along those boundaries, subject to compliance with Part III of this Scheme.

(2) No dwelling-houses or residential buildings shall be erected nearer to its rear boundary than a distance of thirty feet except where the rear boundary abuts on a street or open space.

No building or floor of a building erected solely for the purpose of stores or business premises shall be erected nearer to its rear boundary than 10 feet.

Single storey general and parking garages may be erected on and along the whole length of the rear and side boundaries of their sites.

Outbuildings may be erected against the rear boundary of any site if at least one-third of the length of the boundary is kept clear of buildings.

SCHEDULE G

1 No.	2 Zone	3 Building	4 Where the frontage is not less than or not more than		7 Minimum Clearance (feet)	
			5 one side	5 other side	6 one side	6 other side
1.	Residential	Dwelling-houses, places of worship, institutions, social halls.	200 feet	—	5	5
			100 "	—	10	10
			60 "	99 feet	10	5
2.	Business	IRRESPECTIVE	40 "	59 feet	10	0

(3) Where by reason of any act or omission in the erection of a building or structure the design or external appearance of such building or structure would in the opinion of the Authority :—

- (a) disfigure the locality, or
- (b) detract from the amenities of the neighbourhood, or
- (c) cause depreciation of the value of the properties in the locality, or
- (d) be detrimental to the general environment, such act or omission shall be a contravention of the provisions of this Scheme.

PART V.—DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS OR STRUCTURES

28. (1) A person intending to erect a building or structure in any part of the planning area must, if the Authority so requires, furnish, in addition to any plans and information required to be submitted under the Sapele Township Building Rules, drawings or other sufficient indication of the design and external appearance of the proposed building or structure, including such description of the materials to be used in the construction as may be necessary for that purpose, all of which are hereafter in this Part referred to as "the particulars". Submissions of Plans and details of external appearance.

(2) The drawing shall be upon suitable and durable material to a scale of not less than one inch to every eight feet, except that, where the building or structure is so extensive as to render a smaller scale necessary, the drawing may be to a scale of one inch to every sixteen feet.

Prohibition of unsuitable Buildings.

29. (1) The Authority if it considers that, having regard to the character of the locality or of the buildings erected or proposed to be erected therein, the design and external appearance of the buildings or structure in accordance with the particulars would :—

- (a) disfigure the locality, or
- (b) detract from the amenities of the neighbourhood, or
- (c) cause depreciation of the value of properties in the locality, or be detrimental to the general environment in the vicinity, shall prohibit the erection of the building or structure.

PART VI.—DEVELOPMENT OF LAND

No development without permit.

30. No development and layout of land in plots and streets may be made without the prior consent of the Authority and subject to such conditions as the Authority may deem necessary to impose.

Conditions imposed in permit.

31. The conditions imposed by the Authority in permitting the development and layout of land in plots and streets may include the relinquishment without compensation of such land for streets, as the Authority may consider necessary for proper development of the land:

Provided that the Authority may at its discretion in cases of hardship make an ex gratia payment to any person adversely affected.

Adjustments boundaries plots.

32. For the purpose of facilitating such adjustments of boundaries of plots as will secure the proper development of land the Authority may agree with owners and occupiers of land for the exchange between those persons of portions of land, either with or without payment of money by way of equality of exchange.

PART VII.—AMENITIES

Preservation of trees for fetish land-mark amenity.

33. (1) If at any time the Authority, having regard to the amenity of any part of the Area or to the preservation of particular trees for any reason, is of opinion that any growing tree ought to be preserved, it may register the trees for the purposes of this clause and shall thereupon notify the owner and occupier of the land upon which the tree is growing that the tree has been registered.

(2) The register of trees made shall be open to inspection at all reasonable times.

(3) The following provisions shall have effect in regard to a tree registered under this clause :

No person shall cut down, lop, tap or wilfully destroy any such tree except—

(a) in compliance with an obligation imposed by or under any Ordinance ; or

(b) in pursuance of a power conferred on the Postmaster General by virtue of section 7 (c) of the Telegraphs Ordinance (Cap. 213) in respect of an existing line, or

(c) in the case of a statutory authority or statutory undertakers, in the exercise of any powers conferred on the authority or undertakers by or under any Ordinance.

(4) The authority may at any time cancel the registration of any tree registered as aforesaid and shall thereupon make an appropriate alteration in the register of trees and notify the owner or occupier of the land upon which the tree is growing of the cancellation and as from the date of such cancellation the provisions of this clause shall cease to apply to such tree.

34. (1) Where it appears to the Authority that the amenity of any use zone or of any open space is seriously injured by the condition of any building, fence, garden or curtilage in the area, the Authority may serve a notice on the person by whose action or omission the injury arises (including the owner or occupier of the premises) requiring him, within such period, not being less than twenty-eight days from the date of service, as may be specified in the notice, to take such action as may be necessary to abate the injury.

Maintenance
of private
garden, etc.

(2) The occupier of any land or premises (or the owner if the said land or premises are unoccupied or if the occupier cannot be found) which abuts on a street or on land reserved under clause 9 hereof for use as a street shall keep clean and free from long grass and weeds and all nuisances or obstructions to pedestrians (subject to clause 33 hereof) so much of the said street or land reserved as abuts on his land or premises up to but not including the drains or gutter and where no drain or gutter exists up to the edge of the carriage way or where no defined carriage way exists to the centre of the road, and the Authority may serve a notice on such occupier or owner as aforesaid requiring him, within such period, not being less than fourteen days from the date of service, as may be specified in the notice, to take such action as may in the opinion of the Authority be necessary or desirable including the planting and/or cultivation of grass, trees or shrubs.

(3) If the person on whom a notice is served under sub-clause (1) or (2) hereof fails to comply with the notice, the Authority may cause a complaint to be made to a Magistrate's Court having jurisdiction in the area, and the Court may issue a summons requiring the person to appear before it, and, if satisfied that the alleged injury exists, or that the action specified in the notice is necessary or desirable, may make an order directing the person to comply with the notice and to do anything necessary for the purpose within a time specified in the order.

Failure to comply with such an order shall be contravention of this Scheme. The order may also empower the Authority itself to take any action which the person has been directed to take if he fails to do so, and the Authority may recover the cost of taking any such action from the person summarily as a civil debt.

35. (1) No advertisement hoardings shall be erected or advertisements displayed, without the consent of the Authority.

Advertisement
Hoardings.

(2) If application is made to the Authority for its consent under this clause the Authority shall be entitled to impose such conditions as it may deem fit governing the erection and use of any such hoarding or the display of any such advertisements. Provided that consideration shall be given to the question whether the proposed advertisement is likely to cause injury to the amenities of the neighbourhood.

(3) No consent shall be given for the erection of any hoarding or the display of any advertisement and no such hoarding or advertisement shall be erected or displayed on land included in the Special Residential use zone (land coloured yellow edged deep yellow on the plan) or on any land reserved under this Scheme for any purpose whatsoever other than Sanitary areas.

(4) Notwithstanding the foregoing nothing in this clause contained shall be deemed to prohibit or restrict the following advertisements.

(a) A metal plate or board not exceeding 24 inches by 18 inches in size affixed to the fence or entrance door or gate of any premises.

(b) Advertisements relating solely to a trade or business conducted or to an entertainment, meeting, auction or sale to be held upon the land or in the building upon which the advertisements are displayed.

(c) Fascia boards affixed to business premises, industrial buildings, institutions, parking garages, petroleum filling stations, places of amusement, places of instruction, places of public worship, general garages, stores or social halls.

(d) Advertisement on the door or in the window of building not being within the General Residential use zone :

Provided that such advertisements do not contain letters, figures, emblems or devices exceeding 12 inches in height and do not extend to a height greater than 12 feet from the ground or in the case of advertisements affixed to the exterior of a building do not extend higher than the eaves thereof.

(5) The Authority may, subject to the provisions of this clause, authorise the display of any particular class of advertisement either unconditionally or subject to conditions in respect of the position or manner in which, or the period during which, the advertisement may be displayed.

Provision of loading accommodation.

36. (1) For the purpose of preventing obstruction of traffic on any street or intended street to which a building proposed to be used for the purpose of business, commerce, industry, or entertainment, would have access, suitable and sufficient accommodation as approved by the Authority shall be provided within the site of the proposed building for any loading, unloading or fuelling of vehicles which is likely to be habitually involved in connection with the use of the building :

(2) Provided that where the Authority is satisfied that the proposed development of a site of the purpose of business, commerce, industry or entertainment would not lead to obstruction of traffic on any street or intended street the Authority may on application by any person in writing give permission for the development of the site without provision of loading accommodation.

Prohibition of erection of overhead line and cableways.

37. (1) After the approved date the erection of overhead transmission lines, telegraph and telephone lines, aerial cable ways and their auxiliary structures and other visible apparatus shall, save with prior consent of the Authority, be prohibited within the area comprised within the Scheme.

PART VIII.—MISCELLANEOUS

Binding force of conditions imposed.

38. Where permission to erect any building, or execute any work, or to use any building or land for any particular purpose, or to do any other act or thing is granted under this Scheme, and conditions have been imposed, the conditions shall have the same force and effect, and shall be regarded as if they were part of this Scheme.

Record of permission and conditions.

39. (a) The Authority shall keep, so as to be available for inspection at all reasonable times by any person interested, a record of approvals, consents, authorities or permissions granted by it, and of any conditions imposed or agreed between the Authority and the applicant in connection therewith.

(b) Any person desiring to inspect such record shall pay the Authority in advance, the sum of two shillings and six pence (2s 6d).

Minor adjustment in detail of Scheme.

40. The Authority shall have power from time to time to make any minor adjustment of the site of any proposed street and consequential adjustment of a building line or the boundary of any zone.

41. In all cases where the consent, authority or permission of the Authority is required to be given under this Scheme, such consent, authority or permission shall be in writing. Consent of the Authority to be in writing.
42. This Scheme shall commence on the day on which it is approved by order of the Governor and shall, subject to any variation by any subsequent scheme, continue in operation until revoked. Duration of Scheme.
43. (1) The Authority may enter into agreements consistent with the provisions of this Scheme in relation to any matters with which a Scheme made under the Ordinance may deal. Agreement.
- (2) Agreements entered into by the Authority in pursuance of this Scheme shall be entered into under the hand of the Secretary and Chairman after Resolution by the Authority.
- (3) The Authority shall have power to enforce any covenant contained in an agreement of the kind referred to in this clause against persons deriving title under the covenantor in the like manner and to the like extent as if the Authority were possessed of, or interested in, adjacent land, and as if the covenant had been entered into for the benefit of that adjacent land.
44. The notices to be served for the purposes of this Scheme shall be in the form prescribed by the Sapele Planning Authority. Notices.
45. Wherever any property is increased in value by the coming into operation of any provision of the Scheme and/or by the execution of any work under the Scheme, the Authority may serve a notice claiming betterment upon the person whose property is increased in value in accordance with the provision of section 44 of the Ordinance equal to half the difference between the value of the property as determined under section 44 of the Ordinance, and the enhanced value of the property after the coming into operation of the provisions of the Scheme and/or the execution of the work as far as such enhancement is due solely to the provisions or the Scheme of the execution of the work and not to other factors such as market tendencies. Notice of claim for Betterment.
46. The Authority may if it thinks fit agree with the person whose property is increased in value, for payment of the betterment by instalments which payment shall be of such amounts sufficient to discharge the claim together with interest thereon not exceeding five pounds *per centum* per annum in such period not exceeding thirty years. Betterment payable by instalments.
47. Betterment shall be payable whether the property on which it is levied is occupied or vacant or whether the property is in use or not in use. Betterment payable on vacant or disused property.
48. The manner of construction, in so far as it is not inconsistent with the provisions of this Scheme, and the apportionment of cost of the construction and of the maintenance thereafter of any work, which but for the provisions of the Ordinance would be executed by a Township and the cost thereof borne by the Township out of its revenue, shall be determined by agreement between the Authority and the Township. Nothing in this clause shall be construed as preventing the Authority making a claim for betterment against any person whose property is increased in value by the execution of any work referred to in the clause. Apportionment of cost of construction of municipal works.
49. (1) Every owner of land or buildings shall prevent the surface water and the seepage thereof from his land or building from entering any well used for the supply of water for any purpose whatsoever. Preventing the Pollution of wells.

(2) Any default of the provisions of this clause shall be a contravention of the Scheme.

(3) In this clause owner of land and buildings includes a Township or other Authority responsible for drainage in the areas.

R. J. M. CURWEN,
Chairman, Sapele Town Planning Authority

APPENDIX "A"
NOXIOUS INDUSTRIAL BUILDINGS

(Clause 14)

All buildings designed for the purpose of carrying on any of the following industries, business or trade, *viz* :

- Blood boiling
- Bone boiling
- Tallow melting
- Fat melting or extracting
- Soap boiling
- Tripe boiling or cleaning
- Skin storing and drying
- Bone storing
- Fellmongering
- Skin curing
- Gut scraping
- Leather dressing
- Tanning
- Glue making
- Fish curing
- Fish oil manufacture
- Charcoal burning
- Brick and Tile burning
- Manure storing
- Parchment making
- Malt making
- Yeast making
- Candle making
- Rubber latex coagulating
- Cement and Lime manufacture
- Coke ovens
- Salt glazing
- Sintering of Sulphur-bearing materials
- Smelting of ores and minerals
- Dyeing
- Cocoa butter manufacture.

W.R.L.N. 12 of 1954

*RULES made under THE SHIPPING AND NAVIGATION
ORDINANCE (Cap. 206)*

In exercise of the powers conferred upon native authorities by section 59 of the Shipping and Navigation Ordinance (Cap. 206), the following Rules have been made by the Western Urhobo Area Native Authority with the approval of the Lieutenant-Governor to whom the Governor has delegated the power of approval.

1. These Rules may be cited as the Western Urhobo Area Native Authority (Registration and Licensing of Boats) Rules, 1953.

Short title
and
commence-
ment.

2. "Boat" does not include any steam vessel but includes all other canoes, lighters, barges, boats, crafts and all small craft of whatsoever kind or description which are employed on any inland waters. Definition.

3. (1) Every person, whether residing or not within the jurisdiction of the Western Urhobo Area Native Authority, who owns or keeps or uses a boat within the said jurisdiction and which boat is not licensed by some other native authority, shall within twenty-eight days, and thereafter within twenty-eight days of the 1st January in each year, or, if such boat shall have been acquired subsequently to the 1st day of January, then within twenty-eight days of such acquirement, register and take out a licence for such boat in accordance with the provisions of these Rules. Boats to be registered and licensed.

(2) Prior to the issue of any licence the fees prescribed in the Second Schedule hereto shall be paid.

(3) Every such licence shall expire on the 31st day of December next following the date on which it is taken out and shall be in the form set forth in the First Schedule hereto :

Provided that this Rule shall not apply to any boat which has been duly licensed in accordance with the provisions of Part VI of the Shipping and Navigation Ordinance or of Rules made by any other competent authority under the said Ordinance.

(4) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine. Penalty.

4. Any person who :—

(a) being the owner of a licensed boat, fails to comply with the conditions prescribed in the licence ; or

(b) loads any licensed boat so that any part of the load-line is submerged, or navigates the same when so loaded ;

shall be guilty of an offence and shall be liable on conviction for a first offence to a fine of five pounds or to imprisonment for one month in default of payment of such fine and, subject to the jurisdiction of the Court, on conviction for a second or subsequent offence to a fine of twenty-five pounds or to imprisonment for three months.

5. The Native Authority shall appoint a suitable person as Licensing Officer, and such officer shall have the superintendence within the area of the Native Authority of all matters relating to the registration and licensing of boats. Appointment of Licensing Officer.

6. No boat shall be registered or licensed until the Licensing Officer has examined such boat and has satisfied himself that it is in good condition and repair. Boat to be in good repair.

7. The Licensing Officer may refuse to register any boat which he is satisfied is not in good condition and repair. When registration may be refused.

8. (1) Every person in charge of a boat which is required by these Rules to be registered and licensed shall, on demand being made by any Nigeria or Native Administration Police Officer or Magistrate or Officer of the Marine Department or the Licensing Officer produce the licence granted in respect of such boat. Licences to be produced on demand.

Penalty. (2) Any person who fails to comply with the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of two pounds.

Register to be held by Licensing Officer. 9. The Licensing Officer shall keep a register which shall contain :—
 (a) the name and address of the owner of every boat registered by him ;
 (b) a description of the boat ;
 (c) the number of the licence (if any) issued in respect thereof and the date of issue ; and
 (d) the number of passengers the boat is licensed to carry.

Particulars of licence. 10. The Licensing Officer shall grant to the owner of every boat which has been registered by him as aforesaid a licence which shall bear upon the face of it :—
 (a) the name and address of the owner ;
 (b) the number under which the boat is registered ;
 (c) the date the licence was issued ; and
 (d) the number of passengers the boat is licensed to carry.

Change of address to be notified to the Licensing Officer. 11. (1) Every change of address of any owner or change of owner shall be reported to the Licensing Officer within one month of such change by the owner of the boat, and such change shall be noted in the register.

Penalty. (2) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine.

Duplicate licences. 12. A duplicate of any licence may be issued to the owner by the Licensing Officer on payment of the fee prescribed in the Second Schedule.

Plate to be affixed on the bow of licensed boats. 13. (1) The owner of a licensed boat, other than a lighter or other craft constructed of iron or steel, shall fix or cause to be fixed on both sides of the bow, in the place and position indicated by the Licensing Officer an enamelled iron plate as supplied by the Licensing Officer. The letters and figures shall be white on a background of the same colour as that adopted for the year by the Licensing Authority of the Township of Lagos. They shall be legible at a distance of forty feet.

(2) The owner of a lighter or other craft constructed of iron or steel shall paint or cause to be painted on both sides of the bow, in the place and position indicated by the Licensing Officer the letters "W.U.N.A." and the registered number as indicated on the licence.

The letters and figures shall be white on a background of the same colour adopted for the year by the Licensing Authority of the Township of Lagos. They shall be not less than four inches in height and shall be maintained so as to be legible at a distance of forty feet.

Penalty. (3) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine.

Load-line to be painted and maintained. 14. The Licensing Officer shall ascertain in the manner hereinafter prescribed the position for the load-line for each boat registered by him, and the owner of the boat shall paint or cause to be painted, and thereafter maintained, in the position indicated by the Licensing Officer on each side of the boat a broad white line three inches wide and two feet long, the lowest part of which shall be the load-line.

15. The position of the load-line shall be ascertained as follows :— Ascertainment of load-line.

(a) Lighters, or barges with combings and hatches :—

For every foot depth of hold amidship from the flooring of the lighter to the under part of the deck or lower edge of the combings, there shall be allowed two inches of free-board measured from the deck downwards ;

(b) Open boats :—

For every foot depth measured amidship from a lath placed across the gunwales to the bottom of the canoe or lighter, there shall be allowed four inches of free-board measured from the edge of the gunwales downwards.

16. (1) For the purpose of arriving at loaded displacement the following formulae shall be employed :— Loaded displacement.

(a) For lighters and barges :—

Tonnage displaced equals length \times breadth \times mean loaded draught $\times 0.8 \div 35$

(b) For other boats :—

Tonnage displaced equals length \times breadth \times mean loaded draught $\times 0.6 \div 35$

- (2) Measurement for length and breadth shall be taken at the loaded-line.

17. (1) The number of passengers which may be carried by a boat (other than a canoe) required to be licensed under these Rules shall be governed by the deck space available, six superficial feet being allowed to each passenger for a voyage exceeding twelve hours in duration and four superficial feet to each person for shorter voyages. For lighters and barges the deck space shall include closed hatchways, but for each six superficial feet occupied by cargo, animals or goods one passenger shall be deducted. Determination of passenger accommodation.

(2) For the purpose of calculating the number of passengers which may be carried in any canoe the following formula shall be adopted :—

$$\frac{\text{Length in feet} \times \text{Breadth in feet} \times \text{Depth in feet} \times 0.6}{10}$$

- (3) The measurement for length and breadth should be taken at the load-line.

18. The following boats are exempt from the provisions of these Rules :— Exemptions.

(a) any boat belonging to a registered ship ;

(b) any boat belonging to the subject of a foreign state who is not resident in Nigeria, provided the boat does not ply for hire or carry passengers within the area of jurisdiction of the Native Authority.

MADE at Orerokpe by the Western Urhobo Area Native Authority this 5th day of November, 1953.

CHIEF D. O. DAFE, *President*
 CHIEF J. J. OKENE, *Member*
 ESEZI II, ORODJE OF OKPE, *Member*
for and on behalf of Western Urhobo
Native Authority

	£	s	d
Cost of Licence			
Marking Fee			
Total paid :			

Dated this day of 19....

.....
Licensing Officer

SECOND SCHEDULE

(1) Fees to be paid for licences

(a) Lighters :—

	s	d
Exceeding 150 tons loaded displacement	40	0
Exceeding 100 tons but not exceeding 150	30	0
Exceeding 50 tons but not exceeding 100	25	0
Exceeding 20 tons but not exceeding 50	20	0
Not exceeding 20 tons loaded displacement	15	0

(b) Other boats :—

Exceeding 30 tons loaded displacement	25	0
Exceeding 20 tons but not exceeding 30	20	0
Exceeding 10 tons but not exceeding 20	15	0
Exceeding 5 tons but not exceeding 10	10	0
Exceeding 1 ton but not exceeding 5	5	0
Not exceeding 1 ton loaded displacement	2	0

(c) When a licence is issued after the 30th day of June, a reduction of half the above fees shall be allowed.

(d) Duplicate copy of any licence issued above 2 0
16725/6

W.R.L.N. 13 of 1954

The Native Authority Ordinance (Cap. 140)

VARIATION AND APPOINTMENTS : OGBOMOSHO DISTRICT NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 5 and 10 of the Native Authority Ordinance (Cap. 140), the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Variation and Appointments) Ogbomosho District Native Authority Notice, 1954.

2. The appointment of the following Council to the office of the Native Authority shown opposite its name is hereby revoked :—

Ogbomosho District Council Ogbomosho District Native Authority.

3. The following persons are hereby appointed to the office of the Ogbomosho District Native Authority :—

- | | |
|---------------------------------|--------------------------|
| (i) The Shoun of Ogbomosho | (xii) James Leke |
| (ii) The Onpetu of Ogbomosho | (xiii) Shittu Alao |
| (iii) The Areago of Ogbomosho | (xiv) Joshua Adeyi |
| (iv) The Balogun of Ogbomosho | (xv) Belio Ayandipo |
| (v) The Oloko of Oko | (xvi) Busari Alasoko |
| (vi) The Aressa Du of Iressa Du | (xvii) S .O. Ogundipe |
| (vii) The Alajawa of Ajawa | (xviii) N. A. Adibi |
| (viii) Bale Gbede | (xix) J. O. Adigun |
| (ix) Joseph Laniyan | (xx) J. A. Aregbe |
| (x) Joshua Ojo | (xxi) A. M. Laosebikan |
| (xi) Jacob Adeniyi | (xxii) Ladipo Babarinde. |

4. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 15th day of January, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

W.R.L.N. 14 of 1954

The Western Region Local Government Law, 1952

DELEGATION OF POWERS

In exercise of the 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 of the Schedule hereto the powers set out in the second column opposite to the said persons, which said powers are conferred upon the Regional Authority by the sections of the Law set out in the third column adjacent thereto :

SCHEDULE

<i>Serial No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
1	To cause an inquiry to be held when council fails to meet with minimum frequency.	9 (1)	Local Government Inspectors.
2	To cause an inquiry to be held when councils fail properly to apply revenues, to levy rates, or to conform to statutory obligations.	10 (1)	Local Government Inspectors.
3	All powers of the Regional Authority under these sections.	14 & 15	Minister for Local Government.
4	To receive annual reports	18 (2)	do.
5	To authorise a member to retain his seat	26 (2) (d)	do.
6	To appoint the President of a council to be chairman if a majority of the council agrees.	Proviso to 29 (2)	Local Government Inspectors.
7	To direct council to meet more than four times yearly.	34 (1)	Minister for Local Government.
8	To approve establishment of town, village, or area committees.	54	Local Government Inspectors.
9	To require a council to declare what is customary law relating to land tenure.	60	Minister for Local Government.
10	To approve fees charged by a council ...	62 (1)	do.
11	To approve remission of fees	62 (2)	do.
12	To approve of council entering into a contract to the value of £2,000 or upwards.	63 (1)	do.
13	The powers of the Regional Authority under the proviso to this section.	65	Permanent Secretary to the Ministry of Local Government.
14	The powers of the Regional Authority under the proviso to this section.	66	do.
15	To declare that a council may perform certain functions.	71	Minister for Local Government.
16	To approve delegation of functions by a Divisional Council to a District Council.	73 (1)	Local Government Inspectors.

Serial No.	Powers conferred	Section	Persons to whom powers delegated
17	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) 78 (3)	In case of Divisional and District Councils—Permanent Secretary to the Ministry of Local Government. In case of Local Councils—Local Government Inspectors.
18	To approve the manner of notice given by a council of its intention to make a bye-law.	78 (2)	Local Government Inspectors.
19	To approve the manner of publication of bye-laws.	79	do.
20	All powers of the Regional Authority under these sub-sections	84 (2) 84 (3)	In the case of Divisional and District Councils—Minister for Local Government. In the case of Local Councils—Local Government Inspectors.
21	All powers of the Regional Authority under this section.	85	Minister for Local Government.
22	To approve pension schemes	93	do.
23	To approve the granting of the gratuities and allowances referred to in the section.	96	do.
24	All powers of the Regional Authority under the section.	101	do.
25	To approve the manner of investment of all or any portion of a council's funds.	103	do.
26	To approve the conditions upon which a council may make advances and loans and operate deposit and suspense accounts.	106	do.
27	To issue Financial Memoranda	107	do.
28	To receive and approve the annual estimates of Local Councils.	108 (1) & (2)	Local Government Inspectors.
29	To receive and approve the annual estimates of District and Divisional Councils.	108 (1) & (2)	Permanent Secretary to the Ministry of Local Government.
30	To receive and approve supplementary estimates of Local, District and Divisional Councils: Provided that no supplementary estimate may be approved which would have the effect of reducing the end of year working balance of a Council to less than 25 per cent of the annual revenue of the said Council.	108 (7)	Local Government Inspectors.

<i>Serial No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
31	To receive and approve supplementary estimates submitted by Local, District and Divisional Councils : Provided that no supplementary estimate may be approved which would cause a deficit of revenue over expenditure or have the effect of reducing the end of year working balance to less than 25 per cent of the estimated annual revenue of the said Council.	108 (7)	Assistant Local Government Inspectors.
32	To receive and approve supplementary estimates of Local, District and Divisional Councils.	108 (7)	Permanent Secretary to the Ministry of Local Government.
33	To approve the imposition of an annual rate.	112 (1)	Minister for Local Government.
34	To assess the taxable population of an area.	129 (5)	Local Government Inspectors.
35	To vary the date before which a council shall serve a precept on a rating authority.	135	Permanent Secretary to the Ministry of Local Government.
36	To appoint an auditor	140	Minister for Local Government.
37	To receive auditor's report	140 (3)	do.
38	To determine the payment to be made by a council in respect of the remuneration and expenses of an auditor.	141	Permanent Secretary to the Ministry of Local Government.
39	To sanction expenditure... ..	Proviso to 142 (1)	Minister for Local Government.
40	To direct what action should be taken to recover any sum certified by an auditor to be due.	146	do.
41	All powers of the Regional Authority under the section.	147	do.
42	To direct the form which the annual statement of account shall take.	148	do.
43	To require any two or more councils to establish a joint committee and to delegate all or any of their functions to that committee.	149 (2)	do.
44	To approve the declaration by a council of any building as a prison and to approve the taking over of a native authority prison by the council in whose area it is situated.	168	Permanent Secretary to the Ministry of Local Government.
45	To consent to the letting of land by a council for a term exceeding one year.	182	do.
46	To consent to the sale of land vested in a council.	183 (a)	do.

<i>Serial No.</i>	<i>Powers conferred</i>	<i>Section</i>	<i>Persons to whom powers delegated</i>
47	To consent to the mortgage of land vested in a council.	183 (b)	Permanent Secretary to the Ministry of Local Government.
48	To consent to the exchange of land vested in a council.	183 (c)	do.
49	To consent to the grant, lease, sale, etc., of any land vested in a council.	183 (d)	do.
50	All powers of the Regional Authority under these sections.	221 & 222	Minister for Local Government.
51	To lay down the sitting fees which shall be paid to any member of a native court.	225	Local Government Inspectors.
52	Powers of the Regional Authority to make regulations.	229	Minister for Local Government.

2. Western Region Public Notice No. 32 of 1953 is hereby revoked.

MADE by the Regional Authority at Ibadan this 17th day of November, 1953.

T. N. ROSSER,
Clerk to the Executive Council

W.R.L.N. 15 of 1954

*ORDER made under THE NIGERIA TOWN AND
COUNTRY PLANNING ORDINANCE (Cap. 155)*

In exercise of the powers conferred upon the Lieutenant-Governor by sub-section (1) of section 10 of the Nigeria Town and Country Planning Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Ijebu Ode Town Planning Authority Short title.
(Declaration of Planning Area) Order, 1954.
2. The area described in the Schedule hereto is hereby declared a planning Declaration
area. of Planning
Area.

SCHEDULE

All that portion of Ijebu Ode town within a circle of a radius of two miles whose centre is the Old Ipebi.

MADE at Ibadan this 2nd day of February, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

TS.49/1



W.R.L.N. 16 of 1954

ORDER made under NIGERIA TOWN AND COUNTRY
PLANNING ORDINANCE (Cap. 155)

In exercise of the powers conferred on the Lieutenant-Governor, Western Region, under section 10 (1) of the Nigeria Town and Country Planning Ordinance the following Order is hereby made.

1. This Order may be cited as the Ikeja Town Planning (Declaration of Planning Areas) Order, 1954. 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 Agidingbi ; 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-Abecokuta main road $14\frac{3}{4}$ miles from Lagos ; thence on a bearing of approximately 218° 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 I.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 $\frac{1}{2}$ 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 5th day of February, 1954.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

W.R.L.N. 17 of 1954

*RULES made under THE NATIVE AUTHORITY
ORDINANCE (Cap. 140)*

**THE IKORODU AREA NATIVE AUTHORITY
(CONTROL OF DRUMMING) RULES, 1953**

In exercise of the powers conferred upon native authorities by section 25 of the Native Authority Ordinance, the following Rules have been made by the Ikorodu Area Native Authority with the approval of the Administrator of the Colony.

1. These Rules may be cited as the Ikorodu Area Native Authority (Control of Drumming) Rules, 1953, and shall apply to all persons subject to the jurisdiction of the Ikorodu Area Native Authority.

Definitions.

2. In these Rules :—

“Native Authority” means the Ikorodu Area Native Authority and includes a representative appointed by such Native Authority to issue permits under these Rules ;

“drumming” means the beating of any drum whatsoever whether in a procession or otherwise whereby the peace and rest of residents in the neighbourhood is likely to be disturbed.

Prohibition.

3. It shall not be lawful for any person to drum unless permission has first been obtained from the Native Authority or its appointed representative.

Penalties.

4. Any person contravening rule 3 shall be liable to a fine not exceeding fifty shillings (50s) or to imprisonment not exceeding seven days for the first offence and to a fine not exceeding five pounds (£5) or to imprisonment not exceeding thirty days (thirty days) for each subsequent offence.

Permits.

5. Upon payment of the fees prescribed in the Schedule to these Rules the Native Authority may issue a permit for drumming to any person, authorising the applicant, to drum for the period in the permit. Each of such permits shall authorise drumming for twelve hours only.

Saving.

6. Notwithstanding anything in these Rules contained the Native Authority may issue such permits without the payment of any fee, on any occasion when drumming is customary or forms part of any public celebrations.

Revocation.

7. The Ikorodu (Control of Drumming) Rules, 1951 are hereby revoked.

Period	SCHEDULE	Fee
6 a.m. to 6 p.m.	7s 6d.
6 p.m. to 6 a.m.	10s.

MADE this 8th day of August, 1953.

FESTUS M. OGUNLEWE, ADEBORUWA,
The Adeboruwa of Gbogbo (President)
SIMEON B. SHOBOWALE, SALAMI SHONUBI,
The Olisa of Ikorodu The Aro of Ikorodu

C. O. F. ODESANYA,
Council Clerk

Signified in accordance with the authorisation from the Commissioner of the Colony under section 16B of the Native Authority (Colony) Ordinance, 1943, dated 26th January, 1943.

APPROVED this 16th day of January, 1954.

16258/8

W. FOWLER,
Acting Administrator of the Colony

W.R.L.N. 18 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE ASABA DIVISIONAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Divisional Council entitled the Asaba Divisional Council (hereinafter called "the Council") shall be established upon the 21st day of July, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Asaba Divisional Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area comprising the Asaba administrative division at the date of coming into force of this Instrument.

4. A Chairman shall be elected in accordance with paragraph 11 of this Instrument.

5. The Council shall consist of forty-eight elected members.

6. The quorum shall be sixteen members.

7. The forty-eight elected members of the Council shall be elected by and from amongst the members both elected and traditional of the following District Councils in accordance with the table set out below :

Provided that a District Council may elect a person who is not one of its members to be a member of the Divisional Council if—

(a) such person has not been defeated as a candidate for election to the District Council at the most recent general election to the District Council; and

(b) he possesses the qualifications required for membership of that particular District Council.

Name of District Council		Clans under District Council			No. of persons to be elected from, and to represent, the Clan	Total No. of persons to be elected to represent the District
Aniocha Council.	District	Ezechima 5	} 25
		Ogwashi-Uku	..	..	.. 4
		Nsukwa	..	..	.. 3
		Ibusa	..	..	.. 3
		Ubuluku	..	..	.. 3
		Illah-Ebu	..	..	.. 2
		Okpanam	..	..	.. 1
		Idumuje	..	..	.. 1
		Oko	..	..	.. 1
		Odiani	..	..	.. 1
Akwukwu	..	..	.. 1		

Name of District Council	Clans under District Council	No. of persons to be elected from, and to represent the Clan	Total No. of persons to be elected to represent the District
Ika District Council ..	Agbor	6	} 19
	Owa	3	
	Mbiri	1	
	Igbodo	1	
	Umunede	1	
	Ute-Ogbeje	1	
	Akwumazi	1	
	Otolokpo	1	
	Abavo	2	
	Idumuasah	1	
Ute-Okpu	1		
Asaba Urban District Council.	Asaba	4 4

8. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of elected members :—
Parts I, II, V, VI, VII.

9. The first elections to the Council shall be held between the 12th day of July, 1954, and the 21st day of July, 1954, and the first meeting of the Council shall be held on the 21st day of July, 1954, at Issele-Uku.

10. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

11. Subject to the provisions of section 29 of the Law, the Chairman of the Council shall be elected annually by the Council by secret ballot from among the members of the Council and shall be eligible for re-election.

12. The functions of the Council shall be as set out in the Schedule to this Instrument :

Provided that—

(i) in any matter in which the Divisional Council and a District Council are, or hereafter shall be, empowered to exercise concurrent functions, the Divisional Council shall not make any bye-law inconsistent with any provisions of a bye-law made by a District Council and to which the District Council objects, without the approval of the Minister for Local Government ;

(ii) in any matter in which the Divisional Council and a District Council are exercising concurrent functions for which provision is not made by bye-laws and there is a conflict in the exercise of such functions to which a District Council objects, such functions shall not be exercised by the Divisional Council without the approval of the Minister for Local Government.

MADE by the Regional Authority this 10th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Divisional Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF ANY OTHER COUNCIL

(i) Obligatory Functions

The Council shall—

(a) maintain, repair and equip all Native Courts within the area of its jurisdiction, engage and pay adequate clerical staff for such courts, and pay to the duly appointed members of such courts such sitting fees as the Local Government Inspector in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve ;

(b) ensure that all fines, fees, forfeitures and penalties in respect of, or as a result of, proceedings in all Native Courts within the area of its jurisdiction are paid to the general revenue of the Council ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any roads, streets, street drains, culverts or bridges which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain ;

(c) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(1), (2), (5), (7), (8), (21), (24), (26), (27), (78), (80).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE DISTRICT COUNCILS IN ITS AREA

The Council may :—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (37), (64), (65), (76), (81).

W.R.L.N. 19 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE ANIOCHA DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Aniocha District Council (hereinafter called "the Council") shall be established upon the 29th day of June, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Aniocha District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ezechima, Ogwashi-Uku, Ibusa, Nsukwa, Ubuluku, Illah-Ebu, Oko, Okpanam, Akwukwu, Idumuje and Odiani Clan Areas.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-two members namely :

- Eleven traditional members
- Forty-one elected members.

6. The quorum shall consist of eighteen members.

7. The eleven traditional members shall be elected every three years by secret ballot by and from amongst the persons named in the Second Schedule to this Instrument :

Provided that one of such members shall come from and represent each of the following clans :—

- Ezechima
- Ogwashi-Uku
- Nsukwa
- Ibusa
- Ubuluku
- Illah-Ebu

- Okpanam
- Idumuje
- Oko
- Odiani
- Akwukwu.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-one elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Clan</i>	<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ezechima	.. Issele-Uku	1
2. "	.. Onicha-Ugbo	1
3. "	.. Obior and Onicha-Ukwu	1
4. "	.. Onicha-Otona	1
5. "	.. Ezi and Obomkpa	1
6. "	.. Issele-Mkpitime	1
7. "	.. Issele-Azagba	1
8. Ogwashi-Uku	Okwa Ihonor A	1
9. "	.. Okwa Ihonor B	1
10. "	.. Okwa Onihe	1
11. "	.. Okwa Iyase A	1
12. "	.. Okwa Iyase B	1
13. "	.. Okwa Igwoba	1
14. Ibusa	.. Ogbeuwele and Ezeagwu	1
15. "	.. Idinisagba, Ogbeogwugwu and Umuodafe	1
16. "	.. Omezei	1
17. "	.. Umuojeagwu and Umuekea	1
18. "	.. Ogboli, Ezukwu and Achala	1
19. Nsukwa	.. Ewuru and Abu	1
20. "	.. Isheagu	1
21. "	.. Nsukwa, Ukwu and Umute	1
22. "	.. Ejeme-Aniogo and Ejeme-Uno	1
23. "	.. Egbudu, Ashama and Adonta	1
24. Ubuluku	.. Ogbego, Idumebo and Udo	1
25. "	.. Onicha	1
26. "	.. Idumu-Osime, Abuedo, Akwu and Ogbonta	1
27. "	.. Ubulunor	1
28. "	.. Ubulu-Okiti	1
29. Illah-Ebu	.. Illah and Aninwalo	1
30. "	.. Ebu	1
31. "	.. Ukala-Okpunor and Ukala-Okuta	1
32. Oko	.. Anala and Okwe	1
33. "	.. Ugbolu Amakom and Ogbele	1
34. Okpanam	.. Okpanam	1
35. "	.. Ugbolu	1
36. Akwukwu	.. Akwukwu	1
37. "	.. Atuma	1
38. Idumuje	.. Idumuje-Uno	1
39. "	.. Idumuje-Ugboko	1
40. Odiani	.. Ukwunzu, Ugboba and Idumuogo	1
41. "	.. Ugbodu, Ublubu and Anima-Ogodo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21

<i>Part</i>	<i>Regulations</i>
IV .. .. .	.. 22-31 ; 62-91
VI .. .. .	.. 109-121
VII .. .. .	.. 122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 7th day of June, 1954, or as near as may be, and the first meeting of the Council shall be held on the 29th day of June, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the First Schedule to this Instrument.

MADE by the Regional Authority this 10th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

FIRST SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE ASABA DIVISIONAL COUNCIL

(i) Obligatory Functions

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law :

(b) perform all the functions contained in paragraph (34) of section 71 of the Law :

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Asaba Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law;

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law;

(h) perform all or any of the functions contained in the following paragraphs of section 71 of the Law:

(3), (4), (6), (9), (11) to (16) inclusive, (18), (19), (20), (28), (29), (30), (31), (32), (33), (35), (36), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (47a), (48) to (57) inclusive, (59), (60), (61), (62), (63), (66), (67), (68), (69), (70), (71), (72), (72a), (73), (74), (75), (77), (79), (81a), (82), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
ASABA DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law:—

(17), (22), (23), (25), (37), (64), (65), (76), (81).

SECOND SCHEDULE

Ogwashi-Uku	..	..	..	Obi of Ogwashi-Uku.
Ubuluku Clan	..	..	..	Obi of Ubuluku Obi of Ubulunor Onishe of Ubulu-Okiti.
Nsukwa Clan	..	..	..	Obi of Ewuru Obi of Nsukwa Obi of Isheagu Obi of Ashama Obi of Egbudu Obi of Adonta Obi of Aba Obi of Ejema-Aniogo Obi of Ejema-Uno.
Ezechima Clan	..	..	..	Obi of Issele-Uku Obi of Onicha-Ugbo Obi of Onicha-Ukwu Obi of Obomkpa Obi of Onicha-Olona Obi of Ezi Obi of Obior Obi of Issle-Azagba Ozoma of Issele-Mkpitima.

SECOND SCHEDULE—*contd*

Odiani Clan	..	..	..	Obi of Ukwunzu Obi of Ugbodu Obi of Ubulubu Obi of Ugboba Obi of Idumuogo.
Idumuje Clan	..	..	..	Obi of Idumuje-Ugboko Obi of Idumuje-Uno.
Illah Clan	..	..	..	Obi of Illah Obi of Ebu Obi of Ukala.
Akwukwu-Atuma Clan	..	..	..	Obi of Akwukwu Onishe of Atuma.
Okpanam Clan	..	..	..	Asagba of Asagba Diokpa of Ugbodu Diokpa of Obodogba Diokpa of Ogbeozoma Diokpa of Obodogwugwu Diokpa of Amachai.
Ibusa Clan	..	..	..	The Senior Okpalla The Egwelle The Iyase The Odogwu The Uwolo.
Oko Clan	..	..	..	Akor of Oko Anala Onihe of Ogbele Okakwu of Amakom Onowu of Okwe.

W.R.L.N. 20 of 1954*The Western Region Local Government Law, 1952***INSTRUMENT ESTABLISHING THE ASABA URBAN DISTRICT COUNCIL**

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Asaba Urban District Council (hereinafter called "the Council") shall be established upon the 2nd day of June, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Asaba Urban District Council" may be used until such time as a seal is procured.

3. The area of authority of the Council shall be Asaba Town.

4. The President of the Council shall be the Asagba of Asaba and a Chairman shall be elected in accordance with paragraph 13 of this Instrument.

5. The Council shall consist of thirty members, namely :

The President

Twenty-nine elected members.

6. The quorum shall consist of ten members.

7. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 8 of this Instrument.

8. Each of the twenty-nine elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Umuaji A	1
2. Umuaji B	1
3. Umuaji C	1
4. Umuaji D	1
5. Umuaji E	1
6. Ugbomanta A	1
7. Ugbomanta B	1
8. Ugbomanta C	1
9. Ugbomanta D	1
10. Ugbomanta E	1
11. Umuagu A	1
12. Umuagu B	1
13. Umuagu C	1
14. Umuagu D	1
15. Umuagu E	1
16. Umuezei A	1
17. Umuezei B	1
18. Umuezei C	1
19. Umuezei D	1
20. Umuezei E	1
21. Umuonaje A	1
22. Umuonaje B	1
23. Umuonaje C	1
24. Umuonaje D	1
25. Umuonaje E	1
26. Cable Point A	1
27. Cable Point B	1
28. Cable Point C	1
29. Cable Point D	1

9. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

10. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

11. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 25th day of May, 1954, or as near as may be, and the first meeting of the Council shall be held on the 2nd day of June, 1954.

12. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

13. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the members of the Council and shall be eligible for re-election.

14. The functions of the Council shall be as set out in the Schedule to this Instrument. MADE by the Regional Authority this 10th day of February, 1954.

T. N. ROSSER.

Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE ASABA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Asaba Divisional Council maintains;

SCHEDULE—*continued*

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law ;

(h) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :

(3), (4), (6), (9), (11) to (16) inclusive, (18), (19), (20), (28), (29), (30), (31), (32), (33), (35), (36), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (47a), (48) to (57) inclusive, (59), (60), (61), (62), (63), (66), (67), (68), (69), (70), (71), (72), (72a), (73), (74), (75), (77), (79), (81a), (82), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE ASABA DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (37), (64), (65), (76), (81).

W.R.L.N. 21 of 1954*The Western Region Local Government Law, 1952*

INSTRUMENT ESTABLISHING THE IKA DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ika District Council (hereinafter called "the Council") shall be established upon the 30th day of June, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ika District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Agbor, Owa, Mbiri, Igbodo, Umunede, Ute-Ogbeje, Akumazi, Otolokpo, Abavo, Idumuasah and Ute-Okpu Clan Areas.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-four members, namely :

Eleven traditional members

Forty-three elected members.

6. The quorum shall consist of eighteen members.

7. The eleven traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :

(a) The Obi of Agbor ;

(g) The Obi of Akumazi ;

(b) The Obi of Owa ;

(h) The Obi of Otolokpo ;

(c) The Obi of Mbiri ;

(i) The Obi of Abavo ;

(d) The Obi of Igbodo ;

(j) The Obi of Idumuasah ;

(e) The Obi of Umunede ;

(k) The Obi of Ute-Okpu.

(f) The Obi of Ute-Ogbeje ;

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-three elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

Clan	Name of Ward	Number of persons to be elected
1. Agbor (excluding Ekuku-Agbor)	Imobi I (Ihogbe, Obielihe and Alifikede Station)	1
2. " "	Imobi II (Ogbesogban, Ogbemudei and Orun)	1
3. " "	Imobi III (Ihaikpe, Ogbisere and Ogbewase)	1
4. " "	Alizomor	1
5. " "	Alisime	1
6. " "	Alihagwu	1
7. " "	Agbonta, Aliokpu Ewuru and Oki	1
8. " "	Ozarra	1
9. " "	Emuhu	1
10. " "	Boji Boji Agbor I (Idumoko and Idumu Asike)	1
11. " "	Boji Boji Agbor II (Idumu-Odozi)	1
12. " "	Boji Boji Agbor III (Idumu Mgbeke and Idumu-Igbo)	1
13. Ekuku-Agbor	Ekuku-Agbor (excluding Obi Duhon)	1
14. " "	Obi-Duhon, Alidinmah and Obiagbor	1
15. Owa	Alidinmah, Ogbe Olu, Idumu Idah, Idumu Ugbo, Idumu Agbonta	1
16. " "	Idumu Ogbe-Onitcha, Idumu Osomo, Idumu Izomor, Idumuoji Idumu Uzugbo	1

<i>Clan</i>	<i>Name of Ward</i>	<i>Number of persons to be elected</i>
17. "	Owaekie and Idumebor	1
18. "	Alogba Aloye and Aliegue	1
19. "	Offie and Alizomor	1
20. "	Owanta and Boji Boji Owa	1
21. "	Boji Boji Owa II	1
22. "	Boji Boji Owa III	1
23. Mbiri ..	Mbiri	1
24. Igbodo ..	Anikpoku, Anieyime and Idumu Ozie	1
25. "	Idumu-Obior, Ndobu, Aniugboko and Timber Camp	1
26. Umunede ..	Ogbe-Obi	1
27. "	Idumu-Ileje	1
28. "	Idumu-Ile and Idumu-Oba	1
29. Ute-Ogbeje ..	Ute-Ogbeje	1
30. Akumazi ..	Ogbe-Obi	1
31. "	Owerre	1
32. "	Akuku and Ilabor	1
33. Otolokpo ..	Ogbe-Obi and Idumu Oji	1
34. "	Alugba, Idumu Okete, Umuhu, Achara and Idumu Obome	1
35. Abavo ..	Imobi	1
36. "	Igbogili	1
37. "	Udomi	1
38. "	Azuowa	1
39. "	Obianyimah	1
40. Idumessah ..	Idumessah	1
41. Ute-Okpu ..	Ihiegwai	1
42. "	Owerre Idumu Ugbo, Ogbe, Odeh, Idumu Ezeaji and Aliohen	1
43. "	Ute Enugu and Ute Erum	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 7th day of June, 1954, or as near as may be, and the first meeting of the Council shall be held on the 30th day of June, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument. MADE by the Regional Authority this 10th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE ASABA DIVISIONAL COUNCIL

(i) Obligatory Functions

The Council shall—

- (a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;
- (b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Asaba Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

SCHEDULE—*continued*

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law ;

(h) perform all or any of the functions contained in the following paragraphs of section 71 of the Law ;

(3), (4), (6), (9), (11) to (16) inclusive, (18), (19), (20), (28), (29), (30), (31), (32), (33), (35), (36), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (47a), (48) to (57) inclusive, (59), (60), (61), (62), (63), (66), (67), (68), (69), (70), (71), (72), (72a), (73), (74), (75), (77), (79), (81a), (82), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
ASABA DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (37), (64), (65), (76), (81).



W.R.L.N. 22 of 1954

ORDER made under THE DOGS ORDINANCE
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor by sections 2 and 4 of the Dogs Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Western Region (Application of Ordinance) Order, 1954.

2. The provisions of Part II of the Dogs Ordinance shall apply to the areas, districts, townships or places in the Western Region as specified in the second column of the Schedule to this Order.

3. The authority for the areas specified in the second column of the Schedule shall be as stated in the third column.

4. Order No. 5 of 1943 as amended from time to time is hereby revoked. Page 500
Vol. VII of
the Laws.

SCHEDULE

Province	Areas	Authority
ABEOKUTA ...	Abeokuta ... The area comprised within a circle having a radius of 3 miles with Shapon market, Abeokuta, as centre.	Egba Divisional Native Authority.
BENIN ...	Benin ... The Township of Benin ...	The Local Authority appointed under the Townships Ordinance.
	The Benin Division excluding the Township of Benin.	The Benin Divisional Native Authority.
	Ishan ... The Township of Ubiaja ...	The Local Authority appointed under the Townships Ordinance
COLONY ...	Epe ... The Epe Division ...	The Epe Area, Ejinrin Area, Eredo Area, Ibeju Clan, Lekki Area Native Authorities for their respective areas.
	Badagry... The area subject to the jurisdiction of The Egun-Awori Area Native Authority.	Egun-Awori Area Native Authority.
	Ikeja ... The area enclosed by the boundaries of the Lagos Airport and the Ikeja Government Residential Area.	The Divisional Officer, Ikeja.
DELTA ...	Warri ... The Township and Urban Area of Warri.	The Local Authority appointed under the Townships Ordinance.
	Sapele ... The Township and Urban Area of Sapele.	do.
	Western Ijaw ... The Township of Forcados ...	do.
	Burutu ... The Township of Burutu ...	do.
DELTA ...	Warri ... The Warri Division, exclusive of the Township and Urban Area of Warri.	The Itsekiri Native Authority.
	Aboh ... The Aboh Division ...	The Ukwuani, Ndosimili and Ndoni District Native Authorities, for their respective areas.

Province	Areas	Authority
Ibadan	Oshogbo District Native Authority area.	Oshogbo District Native Authority.
	Ede District Native Authority area ...	Ede District Native Authority.
	Odo-Otin District Native Authority area.	Odo-Otin District Native Authority.
Ibadan	The area comprised within a circle having a radius of 5 miles with the Railway Station as centre.	The Ibadan District Native Authority.
Ijebu	The Township of Ijebu-Ode...	The Local Authority appointed under the Townships Ordinance.
Ondo	The area comprised within a circle having a radius of 2 miles with Ondo Appeal Court as centre.	The Ondo District Native Authority.
Oyo	The area comprised within a circle having a radius of 2½ miles with the Atiba Hall, Oyo, as centre.	The Oyo Southern District Native Authority.
	The area comprised within a circle having a radius of 3 miles with Ilesha Town Hall as centre.	Ilesha Divisional Native Authority.
Oyo	The area comprised within a circle having a radius of 2 miles with Afin Ife as centre.	Ife District Native Authority.
	The area comprised within a circle having a radius of 2 miles with Afin Ila as centre.	Ila District Native Authority.

MADE this 20th day of February, 1954

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By His Honour's Command,
T. M. SHANKLAND,
Civil Secretary, Western Region.

W.R.L.N. 23 of 1954**RULES made under THE SHIPPING AND NAVIGATION ORDINANCE (Chapter 206)**

In exercise of the powers conferred upon native authorities by section 59 of the Shipping and Navigation Ordinance, the following Rules have been made by the Asaba Town Native Authority with the approval of the Lieutenant-Governor to whom the Governor has delegated power of approval :—

1. These Rules may be cited as the Native Authority (Licensing of Canoes in Asaba and Onitsha Areas) (Amendment) Rules, 1953, and shall come into force on the 1st of January, 1954, and shall apply to all persons subject to the jurisdiction of the Asaba Town Native Authority while within the area of its jurisdiction.

2. The Second Schedule to the Native Authority (Licensing of Canoes in Asaba and Onitsha Areas) Rules, 1938, is hereby amended by substituting the figures "10" and "3" for the figures "5" and "2", respectively, in paragraphs (a) and (b) thereof, and the First Schedule is hereby amended by substituting "10s" for "5s".

MADE by the Asaba Town Native Authority this 21st day of December, 1953.

OBI EMENASHI,
President, Asaba Town Native Authority
S. B. K. OKOBI,
Council Clerk,
Asaba Town Native Authority

Signed in accordance with the Asaba Town Native Authority Standing Rules dated the 15th day of November, 1951.

APPROVED this 12th day of February, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

W.R.L.N. 24 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE AFENMAI DIVISIONAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Divisional Council entitled the Afenmai Divisional Council (hereinafter called "the Council") shall be established upon the 30th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Afenmai Divisional Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area comprising the Kukuruku administrative division at the date of coming into force of this Instrument.

4. A Chairman of the Council shall be elected in accordance with paragraph 12 of this Instrument.

5. The Council shall consist of forty-five members, namely :

- Nine traditional members
- Thirty-six elected members.

6. The quorum shall be fifteen members.

7. The nine traditional members shall be elected by the members, both traditional and elected, of the following District Councils by secret ballot from amongst the traditional members of each District Council respectively in accordance with the table set out below :

<i>Name of District Council</i>	<i>Number of traditional members to be elected</i>
Etsako District Council	4
Akoko-Edo District Council	3
Ivbiosakon District Council	2

8. The thirty-six elected members of the Council shall be elected by and from amongst the members, both elected and traditional of each District Council respectively in accordance with the table set out below :

Provided that a District Council may under this paragraph elect a person who is not one of its members to be a member of the Divisional Council if—

(a) such person has not been defeated as a candidate for election to the District Council at the most recent general election to the District Council, and

(b) he possesses the qualifications required for membership of that particular District Council :

And provided further that each of the Clans listed in the table below shall have at least one representative, traditional or elected, on the Council :

<i>Name of District Council</i>	<i>Total number of persons to be elected to represent the District</i>	<i>Clans in the District</i>
Etsako District Council	14	Auchi Avianwu Aviele Anwain Ekperi Jagbe Okpekpe Three Ibies South Ibic South Inemo Ukpilla Uzairue Wepa-Wanno
Akoko-Edo District Council	12	North-East Akoko North Akoko Igarra-Akuku Ososo Okuloso Central Okoko Okpe Imeri North Ineme Central Ineme East Akoko Kakuma-Anyaran Enwan Ekpeshi-Egbigele Atte
Ivbiosakon District Council	10	Sebe Ivi-Ada-Obi Usokha Emai Otwa-Ikao Ivi-Imion Igwe Ora Ozalla Iuleha

9. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of elected members referred to in paragraph 8 of this Instrument.

Parts I, II, V, VI, VII.

10. The first elections to the Council shall be held between the 23rd day of August, 1954, and the 30th day of August, 1954, and the first meeting of the Council shall be held on the 30th day of August, 1954.

11. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected and traditional members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring members, and the new members shall come into office on that date.

12. Subject to the provisions of section 29 of the Law, the Chairman of the Council shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

13. The functions of the Council shall be as set out in the Schedule to this Instrument :

Provided that

(i) in any matter in which the Divisional Council and a District Council are, or hereafter shall be empowered to exercise concurrent functions, the Divisional Council shall not make any bye-law inconsistent with any provisions of a bye-law made by a District Council and to which the District Council objects, without the approval of the Minister for Local Government :

(ii) in any matter in which the Divisional Council and a District Council are exercising concurrent functions for which provision is not made by bye-laws and there is a conflict in the exercise of such functions to which a District Council objects, such functions shall not be exercised by the Divisional Council without the approval of the Minister for Local Government.

MADE by the Regional Authority this 19th day of February, 1954.

T. N. ROSSER,

Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Divisional Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF ANY OTHER COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) maintain, repair and equip all Native Courts within the area of its jurisdiction, engage and pay adequate clerical staff for such courts, and pay to the duly appointed members of such courts such sitting fees as the Local Government Inspector in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve :

(b) ensure that all fines, fees, forfeitures and penalties in respect of, or as a result of, proceedings in all Native Courts within the area of its jurisdiction are paid to the general revenue of the Council :

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any roads, streets, street drains, culverts or bridges which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain;

(c) in accordance with paragraph (35) of section 71 of the Law, build, equip, and maintain, or grant sums of money towards the establishment, equipment or maintenance of any hospital or asylum for the aged, destitute or infirm or for orphans;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law—

(1), (2), (47).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE DISTRICT COUNCILS IN ITS AREA

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (27), (37), (46), (60), (65), (66), (69), (73), (76), (97) (80), (82).

W.R.L.N. 25 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE ETSAKO DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Etsako District Council (hereinafter called "the Council") shall be established upon the 23rd day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Etsako District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the area of the Anwain, Auchi, Avianwu, Aviele, Ekperi, Ukpilla, Uzairue, Weppa-Wanno, Three Ibies, Okpekpe, South Ibie, Jagbe, and the South Ineme and North Ifeku Group Clans.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-two members, namely :
 Twelve traditional members
 Forty elected members.
6. The quorum shall consist of eighteen members.
7. The twelve traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :
- (a) The Otaru of Auchi
 - (b) The Senior Ukpi Drummer of Avianwu
 - (c) The Oba of Agbede
 - (d) The Clan Head of Anwain
 - (e) The Igiegbai of Ekperi
 - (f) The Clan Head of Jagbe
 - (g) The Village Head of Okpekpe
 - (h) The Senior Village Head of the Three Ibies
 - (i) The Aidenoje of South Ibie
 - (j) The Ekaifome of Ukpilla
 - (k) The Ogieneni of Uzairue
 - (l) The Okumagbe of Weppa-Wanno.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Auchi I	1
2. Auchi II	1
3. Auchi III	1
4. Avianwu I	1
5. Avianwu II	1
6. Avianwu III	1
7. Anwain	1
8. Aviele I	1
9. Aviele II	1
10. Aviele III	1
11. Ekperi I	1
12. Ekperi II	1
13. Ekperi III	1
14. Jagbe	1
15. Okpekpe I	1
16. Okpekpe II	1
17. Three Ibies I	1
18. Three Ibies II	1
19. South Ibie I	1
20. South Ibie II	1
21. South Ineme I	1
22. South Ineme II	1
23. Ukpilla I	1
24. Ukpilla II	1

Name of Ward	Number of persons to be elected
25. Ukpilla III	1
26. Ukpilla IV	1
27. Ukpilla V	1
28. Uzairue I	1
29. Uzairue II	1
30. Uzairue III	1
31. Uzairue IV	1
32. Uzairue V	1
33. Uzairue VI	1
34. Weppa Wannu I	1
35. Weppa Wannu II	1
36. Weppa Wannu III	1
37. Weppa Wannu IV	1
38. Weppa Wannu V	1
39. Weppa Wannu VI	1
40. Weppa Wannu VII	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

Part	Regulations
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 3rd day of August, 1954, or as near as may be, and the first meeting of the Council shall be held on the 23rd day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 19th day of February, 1954.

T. N. ROSSER.
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
AFENMAI DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Afenmai Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law ;

(h) build, equip and maintain, or grant sums of money towards the establishment, equipment, or maintenance of maternity homes, dispensaries and settlements for lepers, in accordance with paragraph (35) of section 71 of the Law ;

(i) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(3), (4), (5), (6), (7), (8), (9), 11 to (16) inclusive, (18), (19), (20), (21), (24), (26), (28), (29), (30), (31), (32), (33), (36), (38), (39), (40), (41), (42), (43), (44), (45), (47a), (48) to (57) inclusive, (59), (61), (62), (63), (64), (67), (68), (70), (71), (72), (72a), (74), (75), (77), (78), (81), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
AFENMAI DIVISIONAL COUNCIL.

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (27), (37), (46), (60), (65), (66), (69), (73), (76), (79), (80), (82).

W.R.L.N. 26 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE AKOKO-EDO DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Akoko-Edo District Council (hereinafter called "the Council") shall be established upon the 25th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Akoko-Edo District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the North-East Akoko, North Akoko, Igarra-Akuku, Ososo, Okuloṣo, Central Akoko, Okpe, Imeri, North Ineme, Central Ineme, East Akoko, Kakuma-Anyaran, Enwan, Ekpeshi-Egbigele and Atte Clan Areas.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of sixty members, namely :

- Fifteen traditional members
- Forty-five elected members.

6. The quorum shall consist of twenty members.

7. The fifteen traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :

- (a) The Olokpe of Okpe
- (b) The Imah of Semolika
- (c) The Onimeri of Imeri
- (d) The Olososo of Ososo
- (e) The Ogiewa of Atte
- (f) The Onilankpese of Lankpese
- (g) The Onibillo of Ibillo
- (h) The Senior Village Head of Igarra
- (i) The Senior Village Head of Okuloṣo
- (j) The Senior Village Head of Kakuma-Anyaran
- (k) The Senior Village Head of Enwan
- (l) The Senior Village Head of Ekpeshi-Egbigele
- (m) The Senior Village Head of Central Akoko
- (n) The Senior Village Head of North Ineme
- (o) The Senior Village Head of Central Ineme

(Council

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-five elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. N.E. Akoko I	1
2. N.E. Akoko II	1
3. N.E. Akoko III	1
4. N.E. Akoko IV	1
5. N.E. Akoko V	1
6. N.E. Akoko VI	1
7. N.E. Akoko VII	1
8. N.E. Akoko VIII	1
9. North Akoko I	1
10. North Akoko II	1
11. North Akoko III	1
12. North Akoko IV	1
13. North Akoko V	1
14. North Akoko VI	1
15. North Akoko VII	1
16. Ososo I	1
17. Ososo II	1
18. Ososo III	1
19. Ososo IV	1
20. Okuloso I	1
21. Okuloso II	1
22. Okuloso III	1
23. Okuloso IV	1
24. Central Akoko I	1
25. Central Akoko II	1
26. Central Akoko III	1
27. Okpe I	1
28. Okpe II	1
29. Imeri	1
30. Northern Ineme	1
31. Central Ineme I	1
32. Central Ineme II	1
33. Eastern Akoko I	1
34. Eastern Akoko II	1
35. Eastern Akoko III	1
36. Kakuma Anyanran	1
37. Enwan I	1
38. Enwan II	1
39. Ekpesi-Egbigele	1
40. Atte	1
41. Igarra Akuku I	1
42. Igarra Akuku II	1
43. Igarra Akuku III	1
44. Igarra Akuku IV	1
45. Igarra Akuku V	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 9th day of August, 1954, or as near as may be, and the first meeting of the Council shall be held on the 25th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 19th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AFENMAI DIVISIONAL COUNCIL

(f) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the streets drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Afenmai Divisional Council maintains :

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain :

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same :

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain :

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area :

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law :

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law :

(h) build, equip and maintain, or grant sums of money towards the establishment, equipment, or maintenance of maternity homes, dispensaries and settlements for lepers, in accordance with paragraph (35) of section 71 of the Law :

(i) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(3), (4), (5), (6), (7), (8), (9), (11), to (16) inclusive, (18), (19), (20), (21), (24), (26), (28), (29), (30), (31), (32), (33), (36), (38), (39), (40), (41), (42), (43), (44), (45), (47a), (48) to (57) inclusive, (59), (61), (62), (63), (64), (67), (68), (70), (71), (72), (72a), (74), (75), (77), (78), (81), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE AFENMAI DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (27), (37), (46), (60), (65), (66), (69), (73), (76), (79), (80), (82).

W.R.L.N. 27 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IVBIOSAKON DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ivbiosakon District Council (hereinafter called "the Council") shall be established upon the 27th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ivbiosakon District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the areas of the Emai, Iuleha, Ora, Usokha and Ozalla Clans, Igwe Village, the Ivi-Ada-Obi and Ivi-Imion Groups, and the Otwa-Ikao Village Group.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of forty members, namely :

- Ten traditional members
- Thirty elected members.

6. The quorum shall consist of fourteen members.

7. The ten traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :

- (a) The Ovie of Otwa
- (b) The Oleje of Emai
- (c) The Clan Head of Iuleha
- (d) The Clan Head of Igwe
- (e) The Clan Head of Usokha
- (f) The Clan Head of Sebe
- (g) The Clan Head of Ozalla
- (h) The Senior Village Head of Ivi-Imion
- (i) The Senior Village Head of Ivi-Ada-Obi
- (j) The Senior Edion Urupa of Ora

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Sebe I	1
2. Sebe II	1
3. Ivi-Ada-Obi I	1
4. Ivi-Ada-Obi II	1
5. Ivi-Ada-Obi III	1
6. Usokha	1
7. Emai I	1
8. Emai II	1
9. Emai III	1
10. Otwa-Ikao I	1
11. Otwa-Ikao II	1
12. Otwa-Ikao III	1
13. Otwa-Ikao IV	1
14. Otwa-Ikao V	1
15. Otwa-Ikao VI	1
16. Otwa-Ikao VII	1
17. Ivi-Imion I	1
18. Ivi-Imion II	1
19. Ivi-Imion III	1
20. Igwe	1
21. Ora I	1
22. Ora II	1
23. Ora III	1
24. Ora IV	1
25. Ozalla	1
26. Iuleha I	1
27. Iuleha II	1
28. Iuleha III	1
29. Iuleha IV	1
30. Iuleha V	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 16th day of August, 1954, or as near as may be, and the first meeting of the Council shall be held on the 27th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 19th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AFENMAI DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Afenmai Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area :

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law :

(g) exercise the powers conferred upon councils by sub-section (2) of section 77 of the Law :

(h) build, equip and maintain, or grant sums of money towards the establishment equipment, or maintenance of maternity homes, dispensaries and settlements for lepers, in accordance with paragraph (35) of section 71 of the Law :

(i) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(3), (4), (5), (6), (7), (8), (9), (11) to (16) inclusive, (18), (19), (20), (21), (24), (26), (28), (29), (30), (31), (32), (33), (36), (38), (39), (40), (41), (42), (43), (44), (45), (47a), (48) to (57) inclusive, (59), (61), (62), (63), (64), (67), (68), (70), (71), (72), (72a), (74), (75), (77), (78), (81), (81a), (83).

**B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
AFENMAI DIVISIONAL COUNCIL**

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(17), (22), (23), (25), (27), (37), (46), (60), (65), (66), (69), (73), (76), (79), (80) 82).

W.R.L.N. 28 of 1954

**ORDER IN COUNCIL made under THE PUBLIC HEALTH
ORDINANCE (Cap. 183)**

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 2 (2) of the Public Health Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Abeokuta (Revocation of the Public Health Rules) Order in Council, 1954.

2. Rules 55-65 of the Public Health Rules shall cease to apply to that part of the town of Abeokuta lying within a radius of three miles of the cross-roads at Shapon Market.

MADE by the Lieutenant-Governor in Council this 5th day of February, 1954.

T. N. ROSSER.

Clerk to the Executive Council

27730

W.R.L.N. 29 of 1954

**ORDER IN COUNCIL made under THE PUBLIC HEALTH
ORDINANCE (Cap. 183)**

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 2 (2) of the Public Health Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Agege and Badagry (Revocation of Public Health Rules) Order in Council, 1954.

2. Rules 55 and 57-65 of the Public Health Rules shall cease to apply to the areas described in the Schedule hereto :—

SCHEDULE

I.—AGEGE

All that land at Agege comprising an area of 501.24 acres the boundaries of which are more particularly described as follows :—

Starting at a concrete pillar marked B.B. 15 the co-ordinates of which are 3,684.48 feet north and 3,976.29 feet west of C.F.A. 32 the Initial Station Agege Survey; thence bounded by straight lines the bearings and distances of which are respectively :—

B.B. 15 passing through B.Bs. 16, 17, 18, 19, 20, 21, 22 and 23 respectively to B.B. 24 bearing $68^{\circ} 10' 30''$ distance 4,375.1 feet. B.B. 24 passing through B.Bs. 25, 26, 27, 28, 29, 30, 31 and 32 respectively to B.B. 33 bearing $157^{\circ} 55' 00''$ distance 4,986.6 feet. B.B. passing through B.Bs. 34, 35, 36, 1, 2, 3 and 4 respectively to B.B. 5 bearing $248^{\circ} 00' 30''$ distance 4,370.6 feet. B.B. 5 passing through B.Bs. 6, 7, 8, 9, 10, 11, 12, 13 and 14 respectively to B.B. 15 bearing $337^{\circ} 52' 00''$ distance 4,999.5 feet the starting point.

Bearings are referred to Colony North.

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II.—BADAGRY

All that parcel of land at Badagry in the Colony of Nigeria, containing an area of approximately 798.0 acres, the boundaries of which are described below :—

Starting at a concrete pillar marked P.B. 271 the co-ordinates of which are 699.36 feet south and 5,271.97 feet east of a concrete pillar marked S.N.S. 177, the origin of Badagry Cadastral Surveys, the boundary runs on a bearing of $161^{\circ} 10'$ for an approximate distance of 85.0 feet to a point on the edge of the northern bank of Badagry Lagoon, thence running along the said edge of Badagry Lagoon in a general north-westerly direction for an approximate distance of 1 mile 1,716 yards to a point which lies on a bearing of $231^{\circ} 30'$ and an approximate distance of 40.0 feet from P.B.Y. 168, thence running along the said edge of the lagoon in a north-westerly direction for an approximate distance of 145.0 feet to its junction with the edge of a swamp, the said junction being on a bearing of $313^{\circ} 00'$ and an approximate distance of 145.0 feet from P.B.Y. 168, thence running along the edge of the swamp in a northerly, then easterly direction for an approximate distance of 2 miles 233 yards to a point which lies on a bearing of $340^{\circ} 43'$ and approximate distance of 2,200 feet from P.B. 294, thence in a straight line to P.B. 294, thence the boundary runs 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. 294	$160^{\circ} 43'$	105.0 feet	P.B.Y. 212
P.B.Y. 212	$160^{\circ} 43'$	1,168.3 ..	P.B. 269
P.B. 269	$160^{\circ} 30'$	794.3 ..	P.B. 273
P.B. 273	$161^{\circ} 14'$	794.7 ..	P.B. 272
P.B. 272	$161^{\circ} 10'$	101.4 ..	P.B. 271

the starting point.

All property beacons are concrete pillars.

All bearings and measurements are approximate.

All bearings are referred to Colony North.

MADE by the Lieutenant-Governor in Council this 5th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

27730

W.R.L.N. 30 of 1954

*BYE-LAWS made under THE LAGOS LOCAL
GOVERNMENT LAW, 1953*

In exercise of the powers conferred on the Lagos Town Council by section 142 of the Lagos Local Government Law, 1953, the following Bye-laws have been made with the approval of the Regional Authority.

1. These Bye-laws may be cited as the Townships (Lagos) (Amendment No. 1) Bye-laws, 1954, and shall come into effect on the 1st day of January, 1954. Short title.

Amendment
of the
Second
Schedule
to the
Townships
(Lagos)
Bye-laws.
Page 284,
Vol. X,
Laws of
Nigeria.

2. The Townships (Lagos) Bye-laws hereinafter referred to as the principal Bye-laws are hereby amended by the deletion of that part of the Second Schedule entitled "Vehicle Licences" and the substitution of the following therefor :—

"VEHICLE LICENCES	£	s	d
Bicycles, tricycles and other pedalled vehicles	0	10	0
Barrows, hand-carts or trucks with two or three wheels fitted with rubber tyres on all wheels or children's chairs and perambulators used for the carriage of goods	2	10	0
Rickshaws, go-carts or bath-chairs propelled by hand	1	0	0
Barrows, hand-carts or trucks with two or three wheels not fitted with rubber tyres on all wheels	4	0	0
Animal drawn vehicles not intended for the carriage of goods	2	0	0
Barrows, hand-carts or trucks with four or more wheels (excluding children's chairs and perambulators referred to above) or animal drawn vehicles intended for the carriage of goods with two or more wheels			
(a) with rubber tyres on all wheels	7	7	0
(b) without rubber tyres on all wheels	10	10	0
For a new licence and metal plate to take the place of one lost or stolen	0	1	0

For licences taken out after the 30th June, one-half of the above rates will be charged but no half-yearly licence will be issued in respect of the first half of the year."

Amendment
of Bye-law
174A of the
Townships
(Lagos)
Bye-laws.

3. Bye-law 174A of the principal Bye-laws is hereby amended by the deletion of sub-paragraph (ii) and the substitution therefor of the following :

"(ii) A hand-cart puller of eighteen years of age or over may obtain a hand-cart puller's licence from the Council on payment of the sum of 5s and such licence shall expire on the following 31st December :

Provided that the Council may refuse to issue such a licence if the applicant for the licence has been convicted of an offence which in the opinion of the Council indicates that he is not a suitable person to hold a hand-cart puller's licence."

MADE by the Lagos Town Council this 5th day of January, 1954.

D. M. O. AKINBIYI,
Acting Town Clerk

APPROVED by the Regional Authority this 19th day of February, 1954.

T. N. ROSSER,
*Clerk to the Executive Council,
Western Region*

W.R.L.N. 31 of 1954

*ORDER made under THE FORESTRY ORDINANCE
(Cap. 75)*

OSHUN FOREST RESERVE (REVISION) ORDER, 1954

WHEREAS the Oshun Forest Reserve is a forest reserve as defined in the Forestry Ordinance, Chapter 75 of the Laws of Nigeria :

AND WHEREAS it is now desired to revise and modify the limits of the lands constituting such reserve and the rights affecting the same :

NOW THEREFORE in exercise of the powers conferred upon the Lieutenant-Governor by section 12 of the Forestry Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Oshun Forest Reserve (Revision) Order, 1953.
2. The limits of the Oshun Forest Reserve and the rights as constituted by law, are hereby revised and modified so that the limits of the said reserve shall be as described in the first schedule hereto and the rights affecting the same as in the second schedule hereto.

FIRST SCHEDULE

All that piece of land containing thirteen decimal four square miles or thereabouts situated in the Ijebu Division of the Ijebu Province and bounded as follows :—

Starting from a point marked by beacon No. PBH 2343, the approximate co-ordinates of which are $4^{\circ} 11' E$; $7^{\circ} .04' N$ (Nigeria Survey 1/500,000 map, Sheet 9 of 1949) 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</i>	<i>To Beacon No.</i>
PBH 2343	90°	168 feet	OFR 17
OFR 17	90°	1,320 „	OFR 18
OFR 18	90°	1,320 „	OFR 19
OFR 19	90°	1,320 „	OFR 20
OFR 20	90°	1,310 „	OFR 21
OFR 21	90°	1,320 „	OFR 22
OFR 22	90°	1,320 „	OFR 23
OFR 23	90°	1,320 „	OFR 24
OFR 24	90°	500 „	OFR 25
OFR 25	125°	520 „	OFR 26
OFR 26	168°	650 „	OFR 27
OFR 27	167°	1,320 „	OFR 28
OFR 28	167°	1,180 „	OFR 29
OFR 29	181°	630 „	OFR 30
OFR 30	168°	1,320 „	OFR 31
OFR 31	170°	940 „	OFR 32
OFR 32	182°	1,320 „	OFR 33
OFR 33	182°	1,110 „	OFR 34
OFR 34	163°	550 „	OFR 35
OFR 35	168°	1,840 „	OFR 36
OFR 36	184°	560 „	OFR 37
OFR 37	128°	240 „	OFR 38
OFR 38	167° 30'	340 „	OFR 39
OFR 39	150° 30'	1,320 „	OFR 40
OFR 40	150° 30'	1,630 „	OFR 41
OFR 41	159°	1,080 „	OFR 42
OFR 42	161° 30'	1,000 „	OFR 43
OFR 43	161° 30'	1,070 „	OFR 44
OFR 44	158°	1,000 „	OFR 45
OFR 45	155°	660 „	OFR 46*

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Length</i>	<i>To Beacon No.</i>
OFR 46	150°	1,060 feet	OFR 47
OFR 47	153°	1,670 "	OFR 48
OFR 48	190°	600 "	OFR 49
OFR 49	157°	1,240 "	OFR 50
OFR 50	159°	1,330 "	OFR 51
OFR 51	159°	1,310 "	OFR 52
OFR 52	159°	1,320 "	OFR 53
OFR 53	159°	1,090 "	OFR 54
OFR 54	159°	420 "	OFR 55
OFR 55	155° 30'	720 "	OFR 56
OFR 56	140°	890 "	OFR 63
OFR 63	251° 30'	1,320 "	OFR 64
OFR 64	251° 30'	1,180 "	OFR 65
OFR 65	243°	1,000 "	OFR 66
OFR 66	243°	990 "	OFR 67
OFR 67	282° 30'	1,320 "	OFR 68
OFR 68	258°	1,320 "	OFR 69
OFR 69	258°	1,570 "	OFR 70
OFR 70	269°	124 "	PBH 2435
PBH 2435	349° 48'	411 "	PBH 2434
PBH 2434	347° 04'	342 "	PBH 2433
PBH 2433	349° 54'	528.9 feet	PBH 2432
PBH 2432	348° 57'	700 feet	PBH 2431
PBH 2431	348° 22'	669.1 feet	PBH 2430
PBH 2430	348° 08'	674.4 "	PBH 2429
PBH 2429	348° 46'	699.6 "	PBH 2428
PBH 2428	348° 49'	700.3 "	PBH 2427
PBH 2427	349° 01'	593.9 "	PBH 2426
PBH 2426	348° 31'	688.2 "	PBH 2425
PBH 2425	346° 37'	598.8 "	PBH 2424
PBH 2424	348° 52'	680.4 "	PBH 2423
PBH 2423	350°	316.2 "	PBH 2422
PBH 2422	348° 59'	699.6 "	PBH 2421
PBH 2421	349° 22'	698.9 "	PBH 2420
PBH 2420	348° 32'	696.5 "	PBH 2419
PBH 2419	349° 13'	699.7 "	PBH 2418
PBH 2418	289° 39'	592.5 "	PBH 2417
PBH 2417	288° 50'	617.1 "	PBH 2416
PBH 2416	289° 46'	658.7 "	PBH 2415
PBH 2415	288° 25'	658.7 "	PBH 2414
PBH 2414	288° 13'	701.7 "	PBH 2413
PBH 2413	288° 51'	698.7 "	PBH 2412
PBH 2412	287° 56'	658.9 "	PBH 2411
PBH 2411	288° 20'	659.2 "	PBH 2410
PBH 2410	287° 40'	700.0 "	PBH 2409
PBH 2409	287° 36'	699.4 "	PBH 2408
PBH 2408	288° 01'	700.2 "	PBH 2407
PBH 2407	287° 30'	699.9 "	PBH 2406
PBH 2406	287° 39'	659.8 "	PBH 2405
PBH 2405	286° 35'	699.7 "	PBH 2404
PBH 2404	287° 54'	699.8 "	PBH 2403
PBH 2403	284° 11'	562.6 "	PBH 2402
PBH 2402	288° 31'	699.9 "	PBH 2401
PBH 2401	288° 11'	699.2 "	PBH 2400
PBH 2400	287° 09'	657.9 "	PBH 2399*

*On the left bank of the Omitutu River ; thence by the left bank of the Omitutu River upstream in a general north-easterly direction for a distance of about two and a half miles to beacon No. PBH 2398 situated on the left bank of the Omitutu River. Thence across the Omitutu River on a bearing of $313^{\circ} 05'$ for a distance of 221.1 feet to PBH 2397 situated about 140 feet from the right bank of the Omitutu River ; thence 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</i>	<i>To Beacon No.</i>
PBH 2397	$322^{\circ} 23'$	315.7 feet	PBH 2396
PBH 2396	$322^{\circ} 13'$	329.3 "	PBH 2395
PBH 2395	$321^{\circ} 26'$	500.3 "	PBH 2394
PBH 2394	$321^{\circ} 07'$	430.3 "	PBH 2393
PBH 2393	$321^{\circ} 50'$	316.6 "	PBH 2392
PBH 2392	$323^{\circ} 32'$	589.7 "	PBH 2391
PBH 2391	$323^{\circ} 34'$	699.6 "	PBH 2390
PBH 2390	$321^{\circ} 55'$	570.7 "	PBH 2389
PBH 2389	$253^{\circ} 48'$	376.5 "	PBH 2388
PBH 2388	$257^{\circ} 22'$	690.5 "	PBH 2387
PBH 2387	$257^{\circ} 29'$	886.5 "	PBH 2386
PBH 2386	$257^{\circ} 08'$	622.1 "	PBH 2385
PBH 2385	$256^{\circ} 16'$	538.6 "	PBH 2384
PBH 2384	$257^{\circ} 04'$	624.2 "	PBH 2383
PBH 2383	$290^{\circ} 51'$	681.8 "	PBH 2382
PBH 2382	$291^{\circ} 27'$	460.5 "	PBH 2381
PBH 2381	$304^{\circ} 44'$	306.7 "	PBH 2380
PBH 2380	$288^{\circ} 57'$	699.7 "	PBH 2379
PBH 2379	$286^{\circ} 54'$	600.8 "	PBH 2378
PBH 2378	$291^{\circ} 08'$	707.1 "	PBH 2377
PBH 2377	$290^{\circ} 31'$	594.7 "	PBH 2376
PBH 2376	$291^{\circ} 21'$	600.4 "	PBH 2375
PBH 2375	$290^{\circ} 51'$	498.0 "	PBH 2374
PBH 2374	$52^{\circ} 35'$	426.0 "	PBH 2373
PBH 2373	$53^{\circ} 57'$	303.2 "	PBH 2372
PBH 2372	$52^{\circ} 25'$	368.5 "	PBH 2371
PBH 2371	$53^{\circ} 23'$	599.8 "	PBH 2370
PBH 2370	$52^{\circ} 57'$	475.4 "	PBH 2369
PBH 2369	$52^{\circ} 55'$	451.0 "	PBH 2368
PBH 2368	$52^{\circ} 28'$	326.9 "	PBH 2367
PBH 2367	$52^{\circ} 15'$	442.7 "	PBH 2366
PBH 2366	$52^{\circ} 45'$	605.8 "	PBH 2365
PBH 2365	$53^{\circ} 10'$	499.1 "	PBH 2364
PBH 2364	$52^{\circ} 56'$	399.6 "	PBH 2363
PBH 2363	$52^{\circ} 52'$	413.3 "	PBH 2362
PBH 2362	$52^{\circ} 34'$	306.0 "	PBH 2361
PBH 2361	$52^{\circ} 48'$	554.2 "	PBH 2360
PBH 2360	$51^{\circ} 46'$	372.2 "	PBH 2359
PBH 2359	$53^{\circ} 59'$	223.8 "	PBH 2358
PBH 2358	$53^{\circ} 12'$	342.2 "	PBH 2357
PBH 2357	$53^{\circ} 43'$	392.0 "	PBH 2356
PBH 2356	$52^{\circ} 27'$	183.3 "	PBH 2355
PBH 2355	$54^{\circ} 07'$	296.7 "	PBH 2354
PBH 2354	$49^{\circ} 28'$	257.7 "	PBH 2353
PBH 2353	$54^{\circ} 50'$	368.5 "	PBH 2352
PBH 2352	$56^{\circ} 49'$	352.2 "	PBH 2351
PBH 2351	$50^{\circ} 22'$	179.2 "	PBH 2350

<i>From Beacon No.</i>	<i>Bearing</i>	<i>Length</i>	<i>To Beacon No.</i>
PBH 2350	50° 16'	320.3 feet	PBH 2349
PBH 2349	53° 11'	523.5 "	PBH 2348
PBH 2348	52° 49'	434.6 "	PBH 2347
PBH 2347	53° 02'	381.2 "	PBH 2346
PBH 2346	54° 14'	577.3 "	PBH 2345
PBH 2345	52° 21'	334.6 "	PBH 2344
PBH 2344	53° 36'	524.4 "	PBH 2343

the starting point.

All beacons are concrete pillars.

Starting from beacon No. PBH 2343 and ending at beacon No. PBH 2435, all distances and bearings of OFR beacons are approximate only, the distances being those actually measured along the ground and not reduced to the horizontal. All such bearings refer to True North and are adjusted from Magnetic bearings observed during the months of February and March, 1949.

All distances and bearings in respect of all PBH beacons were measured and observed during January to April, 1951 and all such bearings refer to True North.

SECOND SCHEDULE

1. *Rights of Way.*—To the general public :—

- (i) The 1952 path from Awodikora to Kajola, Dandola and Makere.
- (ii) The 1952 path from Awodikora to Igbohun.
- (iii) The 1952 path from Apoje to Igbohun.
- (iv) The 1952 path from Apoje to Ajele.
- (v) The 1952 path from Lewuodo to Shaba.

2. *Particular Rights.*—To Aboleja the right to tend without extension existing cocoa trees and to reap the fruits thereof within the following areas until such crops become exhausted or abandoned, after which the holder's rights shall be extinguished :

(i) All that piece of land known as Aboleja's Farm II, containing four decimal six seven acres or thereabouts, situated in the north-eastern part of the Reserve and bounded as follows :—

Starting from a point situated on the left bank of the Omitutu River at a distance of 2,920 feet and on a bearing of 177 degrees from reserve boundary beacon No. OFR 21 and marked by beacon No. FD 8, by the left bank of the Omitutu River upstream for a distance of about 180 feet to pillar No. FD 10 situated on the left bank of the Omitutu River ; thence by a straight line cut on a bearing of 149 degrees for a distance of 750 feet to beacon No. FD 6 situated on the left hand side of the 1949 Aboleja-Gbokutaru footpath proceeding from Aboleja to Gbokutaru ; thence by a straight line cut on a bearing of 283 degrees for a distance of 468 feet to beacon No. FD 7 ; thence by a straight line cut on a bearing of 348° 30' for a distance of 507 feet to the starting point.

(ii) All that piece of land known as Aboleja's Farm I, containing fifty-one decimal three seven acres or thereabouts, situated in the north-eastern part of the Reserve and bounded as follows :—

Starting from a point situated at a distance of 1,200 feet and on a bearing of 102 degrees from beacon No. FD 6 on the boundary of Aboleja's Farm II and marked by beacon No. FD 1 by a straight line cut on a bearing of 131 degrees for a distance of 1,600 feet to beacon No. FD 2 ; thence by a straight line cut on a bearing of 186 degrees for a distance of 1,250 feet to beacon No. FD 3 ; thence by a straight line cut on a bearing of 297 degrees for a distance of 1,050 feet to beacon No. FD 4 ; thence by a straight line cut on a bearing of 335 degrees for a distance of 1,180 feet to beacon No. FD 5 ; thence by a straight line cut on a bearing of 27 degrees for a distance of 830 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 have been adjusted from Magnetic bearings observed during February and March, 1949.

MADE this 19th day of February, 1954.

By His Honour's Command,
T. M. SHANKLAND,
Civil Secretary, Western Region

WP.475

W.R.L.N. 32 of 1954

ORDER made under THE DOGS ORDINANCE (Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to Residents in charge of Provinces, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ado-Ekiti and District) Declaration and Prohibition Order No. 1, 1954.
2. The area in the Ekiti Division of the Ondo Province comprised within a circle having a radius of five miles with the Ado-Ekiti Post Office 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 Ekiti Divisional Native Authority is hereby directed to make rules for all matters referred to in section 15 of the Dogs Ordinance.

MADE at Akure this 19th day of February, 1954.

T. B. BOVELL-JONES,
Resident, Ondo Province

W.R.L.N. 33 of 1954

W. R. Public Notice No. 136 of 1953

FORESTRY ORDINANCE (CAP. 75)

EWOHIMI CLAN AREA EWATTO-EWOHIMI-EWOSSA NATIVE AUTHORITY
FOREST RESERVE (EWOHIMI FOREST) (AMENDMENT) ORDER, 1953

E R R A T U M

In Western Region Public Notice No. 136 of 1953, published in *Western Region of Nigeria Gazette* No. 40 of 22nd October, 1953 :—

Page B 421, line 2 "661 feet" should read "166 feet".

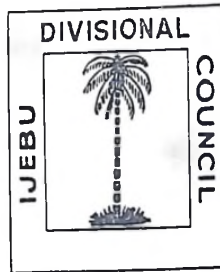
W.R.L.N. 34 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU DIVISIONAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law") a Divisional Council entitled the Ijebu Divisional Council (hereinafter called "the Council") shall be established upon the 28th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Divisional Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ijebu Administrative Division.

4. The President of the Council shall be the Awujale of Ijebuland, and a Chairman shall be elected in accordance with paragraph 12 of this Instrument.

5. The Council shall consist of sixty members, namely,

- The President,
- Eight traditional members.
- Fifty-one elected members.

6. The quorum shall be twenty members.

7. The eight traditional members shall be elected every three years by secret ballot by the following District Councils from amongst their traditional members in accordance with the table following :—

<i>Name of District Council</i>	<i>Number of persons to be elected</i>
Ijebu-Ode District Council	1
Ijebu Igbo District Council	1
Ijebu Northern District Council	1
Ijebu Southern District Council	1
Ijebu Eastern District Council	1
Ijebu Western District Council	1
Ijebu Waterside District Council	1
Ilugun-Alaro District Council	1

8. The fifty-one elected members of the Council shall be elected by and from amongst the members, both elected and traditional, of the following District Councils in accordance with the table following :

Provided that a District Council may elect a person who is not one of its members to be a member of the Divisional Council if :—

(a) such person has not been defeated as a candidate for election to the District Council at the most recent general election to the District Council ; and

(b) he possesses the qualifications required for membership of that particular District Council.

<i>Name of District Council</i>	<i>Number of persons to be elected</i>
The Ijebu-Ode District Council	9
The Ijebu-Igbo District Council	10
The Ijebu Northern District Council	6
The Ijebu Southern District Council	5
The Ijebu Eastern District Council	7
The Ijebu Western District Council	4
The Ijebu Waterside District Council	7
The Ilugun-Alaro District Council	3

9. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of elected members :—

Parts I, II, V, VI, VII.

10. The first elections to the Council shall be held between the 17th day of August, 1954, and the 26th day of August, 1954, and the first meeting of the Council shall be held on the 28th day of August, 1954.

11. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

12. Subject to the provisions of section 29 of the Law, the Chairman of the Council shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

13. The functions of the Council shall be as set out in the Schedule to this Instrument :

Provided that

(i) in any matter in which the Divisional Council and a District Council are, or hereafter shall be, empowered to exercise concurrent functions, the Divisional Council shall not make any bye-law inconsistent with any provisions of a bye-law made by a District Council and to which the District Council objects, without the approval of the Minister for Local Government.

(ii) in any matter in which the Divisional Council and a District Council are exercising concurrent functions for which provision is not made by bye-laws and there is a conflict in the exercise of such functions to which a District Council objects, such functions shall not be exercised by the Divisional Council without the approval of the Minister for Local Government.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Divisional Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF ANY OTHER COUNCIL.

(i) Obligatory Functions

The Council shall—

(a) maintain, repair and equip all Native Courts within the area of its jurisdiction, engage and pay adequate staff for such courts, and pay to the duly appointed members of such courts such sitting fees as the Local Government Inspector in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve ;

(b) ensure that all fines, fees, forfeitures and penalties in respect of or as a result of, proceedings in all Native Courts within the area of its jurisdiction are paid to the general revenue of the Council ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(d) in accordance with paragraph (74) of section 71 of the Law, provide for the maintenance of the traditional office or customary title of the Awujale of Ijebuland.

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any roads, streets, street-drains, culverts or bridges which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain ;

(c) in accordance with paragraph (35) of section 71 of the Law, build, equip, and maintain, or grant sums of money towards the establishment, equipment or maintenance of any hospital, or asylum for the aged, destitute or infirm or for orphans ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(1), (2), (3), (5), (7), (8), (26), (47a), (72a), (81a).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE DISTRICT COUNCILS IN ITS AREA

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, build, equip, and maintain, or grant sums of money towards the establishment, equipment or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

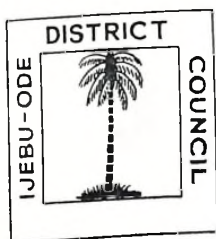
W.R.L.N. 35 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU-ODE DISTRICT COUNCIL

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu-Ode District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu-Ode District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu-Ode District, namely, the Ijebu-Ode Native Court area comprising Ijebu-Ode Town and the following village areas :—Oke Eri, Imowo, Oju Ona, Apuren, Isade, Ikangba, Mobalufon, Ilese, Imodi, Imosan, Ogbo, Erunwon, Isonyin, Ita Epo.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-four members, namely,

- Ten traditional members
- Forty-four elected members.

6. The quorum shall consist of eighteen members.

7. Five of the ten traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Olisa of Ijebu-Ode
- (b) The Ogbeni Oja of Ijebu-Ode
- (c) The Egbo of Ijebu-Ode
- (d) The Oliwo of Ijebu-Ode
- (e) The Lapoekun of Ijebu-Ode.

The remaining five traditional members shall be five chiefs who shall be elected by secret ballot every three years by and from amongst the Heads of each village in the following areas :—Oke Eri, Oju-Ona, Imowo, Apuren, Isade, Ikangba, Mobalufon, Ilese, Imodi, Imosan, Ogbo, Erunwon, Isonyin, Ita Epo.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-four elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A. JEBU-ODE TOWN	
(i) OKE GROUP	
1. Odo-Egbo	1
2. Oliworo	1
3. Oke-Itantebo	1
4. Isale-Itantebo	1
5. Oke-Ijasi	1
6. Aledo-Ijasi	1
7. Idepo-Ijasi	1
8. Itaogbin-Ishoku	1
(ii) IWADE GROUP	
9. Imepe, Ijada	1
10. Idele, Idomowo-Mose	1
11. Itajana, Agunsenbi	1
12. Iyanro	1
13. Imupa	1
14. Odo-Esa	1
15. Ipanmuren, Ikanigbo	1
16. Ishado, Isoku	1
(iii) POROGUN	
17. Idewon	1
18. Ayegun	1
19. Alapo	1
20. Idomowo Porogun, Molode	1
21. Idogi, Ikangba, Ojofa	1
22. Itaraga, Ishasa	1
B. JEBU-ODE VILLAGES	
23. Imagbon, Imaka	1
24. Ikoto, Odo-Epo, Emuren, Imoru, Idiru, Odoja, Shanyindo, Oke-Eshu, Odo-Oba	1
25. Oke-Imodi	1
26. Arinilu-Imodi	1
27. Aledo-Imodi	1
28. Oke-Imosan	1
29. Arinilu-Imosan	1
30. Aledo-Imosan, Ilamo	1
31. Ogbo-Isanya, Ogbo-Larowo, Oke Lamuren	1
32. Odo-Agamegi, Ivido, Igbeba, Iken, Iwata, Egbe Mosu, Idagbo, Odosiniwaren	1
33. Imawcje, Ijagun, Ijale, Ikofa, Ibeyin, Abapawa, Ilawe	1
34. Hese, Ilone, Odomolasa, Ogojore, Odoradano, Akitipa	1
35. Isade, Idomila, Ioto, Iken, Idomowo, Ifefon	1
36. Erunwon, Okoleberipo, Ibeju, Ogidi, Idaguren, Odolemere, Idile, Odopotu, Alemafo, Ilupa, Odolisaki, Odo-Aye, Ifodu, Odoregbe	1
37. Ishonyin	1
38. Ogbogbo, Igbeba, Erigo, Abosan, Odolegan, Odogbe, Oke Agbonle	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
39. Ipari-Nla, Ipari Apoko, Latibogun, Agerige, Ibadan Ijebu, Egunsen, Oko-Osun, Imegu	1
40. Iwesi, Aroko, Igoya, Ijari, Idioro, Molipa, Irewon, Odoyanta, Iperin, Iganke, Okeyemi, Ijalomo	1
41. Oke-Eri	1
42. Mobalufon, Latogun, Moraika, Egbe, Itanrin, Atiba, Iweni, Eriwe, Oko-Odumosu	1
43. Ikangba, Idotun, Erinlu, Osisi, Egben, Agiragbo, Agoro	1
44. Odole, Odosidewon, Sogoji, Agbowa, Okelapeni, Odolewuren Okejagun, Odo-Apinyegi, Odo-Aseri, Odogbolu, Oriwu, Okemeji, Idile	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 29th day of July, 1954, or as near as may be, and the first meeting of the Council shall be held on the 24th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

**A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJBEBU DIVISIONAL COUNCIL**

(i) Obligatory Functions

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

**B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
IJBEBU DIVISIONAL COUNCIL**

The Council may—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

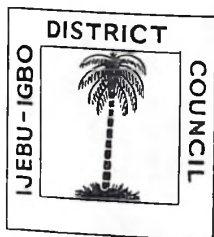
W.R.L.N. 36 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU-IGBO DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu-Igbo District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu-Igbo District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu-Igbo District, namely, the Ijebu-Igbo Native Court Area, the Odo Alamo Native Court Area and Agunboye Area.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-two members, namely,

Eight traditional members

Forty-four elected members.

6. The quorum shall consist of eighteen members.

7. The eight traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

(a) The Orimolusi of Ijebu-Igbo

(b) The Olorilu of Okesopin

(c) The Olorilu of Ojowo

(d) The Olorilu of Atikori

(e) The Lapoekun of Oke Agbo

(f) The Olorilu of Japara

(g) The Olorilu of Agunboye

(h) The Bales of Odo Alamo, Aparaki and Imope in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-four elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A—OKE-SOPIN GROUP	
1. Agbole Olowu I	1
2. Agbole Olowu II	1
3. Aleke I	1
4. Aleke II, Oke-Popo, Oke Padre	1
5. Agbowa, Ibido	1
6. Ilesa, Oke-Ola, Odoyangusen	1
7. Oke-Jaga, Odoladegusen, Oke-Are, Iberukodo	1
8. Itowo, Odoamusengu	1
9. Idode, Obada	1
10. Oke-Liyan, Oke-Tako	1
11. Igbaire I	1
12. Igbaire II, Topon, Ojola, Odoasonyin, Oke-Oba, Odo-Mosibi, Ododoroye	1
13. Odo-Botu, Egbe	1
14. Oshun Ibudoopo, Odo-Owun, Sasa	1
B—ATIKORI GROUP	
15. Igodo I	1
16. Igodo II	1
17. Oke-Ife, Aboyin I	1
18. Aboyin II, Bogije I	1
19. Bogije II	1
20. Etitale	1
21. Oridan, Oke-Alafia	1
22. Oriwu, Araromi	1
23. Oke-Moje, Itun Tapa	1
C—OJOWO GROUP	
24. Etitale I	1
25. Etitale II	1
26. Etitale III	1
27. Odo-Shenbadejo I	1
28. Odo-Shenbadejo II	1
29. Odo-Shenbadejo III	1
30. Aledo I	1
31. Aledo II, Apusan, Eridu	1
32. Amutebu	1
D—OKE-AGBO GROUP	
33. Imagbon I	1
34. Imagbon II, Aha, Ashigidi	1
35. Idosa I	1
36. Idosa II	1
37. Aledo	1
38. Iga	1
39. Odomoro	1
40. Okemoro	1

Name of Ward	Number of persons to be elected
E—OTHER GROUPS	
41. Japara	1
42. Apoje Farm Project	1
43. Odo-Alamo, Aparaki, Imope Odokalaba, Oke-Oko, Ibakan Idowu, Ajigan	1
44. Agunboye	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

Part	Regulations
I	1-2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 29th day of June, 1954, or as near as may be, and the first meeting of the Council shall be held on the 19th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJEBU DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law :

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
IJEBU DIVISIONAL COUNCIL

The Council may—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

W.R.L.N. 37 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU NORTHERN DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu Northern District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Northern District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu Northern District, namely, the Ago-Iwoye, Oru, Awa, Ilaporu, and Mamu Village Areas.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of forty-nine members, namely,

Twelve traditional members

Thirty-seven elected members.

6. The quorum shall consist of seventeen members.

7. The twelve traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

(a) The Ebumawe of Ago-Iwoye

(b) The Olorilu of Oru

(c) The Bale of Awa

(d) The Bale of Mamu

(e) The Alaporu of Ilaporu

(f) The Otunba Obaruwa of Ago-Iwoye

(g) The Otunba Ayandelu of Ago-Iwoye

(h) The Otunba Mefu of Ago-Iwoye

(i) The Otunba Legbere of Ago-Iwoye

(j) The Otunba Sapenuwa of Ago-Iwoye

(k) The Obamowo of Mowo

(l) The Otunba Lewu of Ago-Iwoye

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty-seven elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A—AGO-IWOYE GROUP	
1. Oke-Ibipe	1
2. Isale-Ibipe	1
3. Ituntitun	1
4. Okelusote	1
5. Oke-Idebi	1
6. Italogben	1
7. Borowaiye	1
8. Idode I	1
9. Idode II	1
10. Idode III	1
11. Odosinusi I	1
12. Odosinusi II	1
13. Odosinusi III	1
14. Okemoro	1
15. Ilenla I	1
16. Ilenla II	1
17. Aledo I	1
18. Aledo II	1
19. Uloko	1
20. Oke-Odo	1
21. Imosu, Okeliwoye	1
22. Odoogbu, Sigorayan, Ako	1
23. Okemase, Odoada	1
24. Odoloye, Igomoro, Yemodo	1
25. Mamu I	1
26. Mamu II	1
B—ORU GROUP	
27. Odogbe, Iganran, Abidagba	1
28. Odoladugba, Ajebe	1
29. Okealafon, Odoralususi, Ikansi	1
30. Ajebo, Ibosan, Oreta, Okealagbe, Odoshapo, Odoamusangun	1
31. Tireyin, Odoagusen, Oriwu	1
32. Aiyetoro, Imota, Sagun	1
C—AWA GROUP	
33. Itunaga	1
34. Itunla	1
35. Ilaporu, Okedemoku	1
36. Okeodu, Okealawa	1
37. Okesewon, Maletе, Ajegunle, Aredi	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 7th day of July, 1954, or as near as may be, and the first meeting of the Council shall be held on the 20th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE Ijebu Divisional Council

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area :

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJEBU DIVISIONAL COUNCIL.

The Council may—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

W.R.L.N. 38 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU SOUTHERN DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu Southern District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Southern District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu Southern District, namely, the following Native Court areas :—

- (a) the Idowa Native Court and the Akio-Odosenu Native Court ;
- (b) the Ososa Native Court ;
- (c) the Ibefun Native Court ;
- (d) The Omu Native Court.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of forty-six members, namely :

- Six traditional members
Forty elected members.

6. The quorum shall consist of sixteen members.

7. The six traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

- (a) The Dagburewe of Idowa
- (b) The Gbegande of Ososa
- (c) The Liken of Ibefun
- (d) The Otunba (Olomu) of Omu
- (e) The Bale of Ala
- (f) The Oloja of Igbile.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A.—IDOWA GROUP :	
1. Idowa I	1
2. Idowa II	1
3. Idowa III	1
4. Imoro, Odoragbuwa, Eganlogi, Ejogun, Odosimawegun, Odosighati... ..	1
5. Ala I	1
6. Ala II	1
7. Imodi, Odoluka	1
8. Ilado, Sibadewa, Igbomowo	1
9. Oke-Eri, Ikishe, Igaro, Odo Orangun, Odorade	1
10. Igbile I	1
11. Igbile II	1
12. Oke Odun I	1
13. Oke Odun II, Ibido	1
14. Odo Jobore, Irete	1
15. Akio, Obada	1
16. Odosenlu	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
B.—OSOSA GROUP :	
17. Ososa : Ijoku	1
18. Ososa : Oke Ala	1
19. Ososa : Lakoye	1
20. Ososa : Odo Epe	1
21. Ososa : Odo Owa	1
22. Ososa : Oke Esu	1
23. Ososa : Idomowo	1
24. Odosikanwa, Odo Ariye, Odosiyelu, Odosegun, Okemorisa, Okelipe, Imawen	1
C.—OMU GROUP :	
25. Mobido I	1
26. Mobido II, Ikasi	1
27. Ago I	1
28. Ago II	1
29. Odoko, Oke Meri, Erebe	1
30. Mota	1
31. Degorunsen	1
32. Moro	1
D.—IBEFUN GROUP :	
33. Ibefun I	1
34. Ibefun II	1
35. Oreta I	1
36. Oreta II	1
37. Igboburo I	1
38. Igboburo II	1
39. Owode, Idena	1
40. Araromi, Ilagbe, Ikingba, Ago-Otta	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 13th day of July, 1954, or as near as may be, and the first meeting of the Council shall be held on the 21st day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJEBU DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall :—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may :—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJEBU DIVISIONAL COUNCIL

The Council may :—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

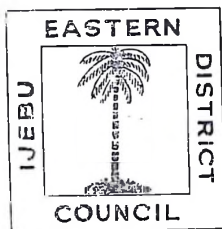
W.R.L.N. 39 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU EASTERN DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu Eastern District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Eastern District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu Eastern District, namely, the Ijebu-Ife Native Court area, the Imushin Native Court area, the Owu-Ikija Native Court area, the Itamapako Native Court area, the Isiwo Native Court area and the Imobi Native Court area.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-three members, namely,

Ten traditional members

Forty-three elected members.

6. The quorum shall consist of eighteen members.

7. Nine of the ten traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

- (a) The Ajaloron of Ijebu-Ife
- (b) The Balufe of Ijebu-Ife
- (c) The Olowu of Owu
- (d) The Akija of Ikija
- (e) The Oloko of Imushin
- (f) The Otunba Moyegeso of Itelc
- (g) The Bale of Ogberc
- (h) The Bale of Terelu, the Onitascn of Itasen and the Bale of Okomakun in annual rotation in that order
- (i) The Petu of Isiwo.

The tenth traditional member shall be a chief from the Itamapako area and shall be elected every three years by secret ballot by and from amongst the Heads of the following villages :—

Iloti	Tomoba	Odolayanra	Ododeyo
Odo-Asonyin	Odo-Arawa	Odosiwonotu	Yemoji
Odolewu	Oke Ako	Oke Epa	Odo Kobara
Irawo	Okorogbin Isale	Iseyo	Idale
Okenla	Akata	Odoroga	Idowu
Itawo	Iroto	Ereji	Okeyc
Odo-Agboju	Odolofa	Ladenusi	Atan
Odolagaye	Odosengolu	Ipesi	Okelo
			Okenori.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-three elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A.—IJEBU-IFE AREA :	
1. Isapodo I	1
2. Isapodo II	1
3. Iwana : Iwade, Itoro, Ilcde	1
4. Iwana : Eyindi, Itako, Isensi	1
5. Iwana : Irowo, Igbomoku, Odoladalepo, Imegun	1
6. Oke-Ife : Idofe, Tidesa, Tيروسogun	1
7. Oke-Ife : Ibclu, Okeliwo, Tajala, Timorowo	1
8. Itclc I	1
9. Itclc II	1
10. Oguru	1
11. Ogberc	1
12. Ogberc villages	1
13. Ehin-Omo	1
14. Grace Camp	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
B.—IMUSHIN GROUP :	
15. Imuwen, Odosiwonade, Iwaiya, Idomodu, Ododeyoruwa ...	1
16. Eshure	1
17. Imushin market, Odonopa, Ewunren, Esugbon	1
18. Itamarun, Idokonusi, Odoyanlu	1
19. Igbaga, Owoye, Orawa, Egbe, Iwasi, Kalewe, Idanre, Ipodo, Ipako, Imeri, Iperin, Idona	1
20. Ishagunsen, Imolorin, Odomogun, Odosenuwa, Ipebi, Ijagbure, Odomagbo, Yemodu, Tojoro	1
21. Odolameso, Okepo, Isewo, Odolisaki, Okeagba, Okegbe, Idode, Idoko, Itunnagba	1
22. Ilagujó Odomisco, Ikala, Ipepe, Ilodo	1
C.—OWU-IKIIA GROUP :	
23. Owu : Imayan, Imagbon	1
24. Owu : Ebadela, Ibese	1
25. Iganmeji, Isire, Isomu, Ifodo, Agerige, Togumaga	1
26. Ikija : Ilede Ipebi	1
27. Ikija, Ilenla, Odomefi	1
D.—ITAMAPAKO GROUP :	
28. Iloti	1
29. Irawo, Akata, Idowu, Okenla, Atan, Tomoba	1
30. Ereji, Odosengolu, Odolayanra, Idale, Ilawo, Odo Agboju, Irotó ...	1
31. Odolagaye, Odonoko, Odoroga, Odosiwonotu, Odo Arawa ...	1
32. Odolewu, Oke Ako, Iseyo, Yemoji, Odolopa, Okorongbin ...	1
33. Odo Asonyin, Oke Epa, Ododeyo, Kobara, Odoladenusi, Ipeşi ...	1
E.—ISIVO GROUP :	
34. Imowe, Aledo, Igara, Okemoyin, Okelefo, Eti-Obun	1
35. Oke Ladewu	1
36. Yeleru	1
F.—IMOBI GROUP :	
37. Ijagba, Okegbode, Dopanu, Luwako	1
38. Emute Imobi, Isobo Imobi, Origbe	1
39. Oriranyin, Togewu, Toga, Okomakun, Tekule, Araromi	1
40. Itapampa, Terclu, Iba	1
41. Itasen, Tonigbo, Oki Araromi, Totunba	1
42. Fotodo, Denuren, Malara, Toliwo	1
43. Mafuwoku, Tisaga Togusilu Fowoseje	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126.

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 21st day of July, 1954, or as near as may be, and the first meeting of the Council shall be held on the 23rd day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJEBU DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall :—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may :—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJEBU DIVISIONAL COUNCIL.

The Council may :—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

W.R.L.N. 40 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU WESTERN DISTRICT COUNCIL.

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu Western District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Western District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu Western District, namely, the Odogbolu Native Court area, the Okun-Ijesha Native Court area and the Aiyeye Native Court area.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of thirty-seven members, namely,

Six traditional members

Thirty-one elected members.

6. The quorum shall consist of thirteen members.

7. The six traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

- (a) The Moloda of Odogbolu
- (b) The Oremadegun of Odogbolu
- (c) The Elesi of Odogbolu
- (d) The Olugbani of Okun-Owa
- (e) The Bale of Ijesha
- (f) The Akalako of Aiyepe.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty-one elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A.—ODOGBOLU GROUP :	
1. Odo I...	1
2. Odo II	1
3. Odo III	1
4. Odo IV	1
5. Odo V, Ideno	1
6. Ikosa I	1
7. Ikosa II	1
8. Efiyan I	1
9. Efiyan II	1
10. Efiyan III	1
11. Efiyan IV, Odo-Aloro	1
12. Iloda I	1
13. Iloda II	1
14. Odogbon	1
15. Odoyangan	1
16. Eyinwa	1
B.—OKUN-IJESHA GROUP :	
17. Okun-Owa I	1
18. Okun-Owa II	1
19. Okun-Owa III	1
20. Okun-Owa IV	1
21. Odo-Olowu	1
22. Imosu, Imoku	1
23. Senbolu	1
24. Ijesa Oke	1
25. Ijesa Isale, Araromi Ake	1
C.—AIYEPE AREA :	
26. Afo, Adigotu...	1
27. Odolubisanwa	1
28. Ilakan	1
29. Aba I	1
30. Aba II	1
31. Idobiri	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 17th day of June, 1954, or as near as may be, and the first meeting of the Council shall be held on the 17th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJEBU DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall :—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(h) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may —

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (f) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJEBU DIVISIONAL COUNCIL

The Council may :—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

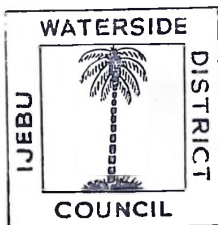
W.R.L.N. 41 of 1954

The Western Region Local Government Law, 1952

INSTRUMENT ESTABLISHING THE IJEBU WATERSIDE DISTRICT COUNCIL

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ijebu Waterside District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu Waterside District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ijebu Waterside District, namely, all the area within the limits described hereunder :—

The Ijebu-Colony boundary from the mouth of the Oni River to the point where it reaches the sea shore at Aberiji ; thence the sea shore to Ijebu-Ondo boundary between Elefon and Araromi ; thence the Ijebu-Ondo boundary to the point where the Oruba Channel meets the Oni River ; thence the Oni River to its outlet into the Lekki Lagoon, but including the following village areas on the north bank of the Oni River :—

K.B. Camp, Morokoro, Mosafejo, Malopopo, Ito-Omo, Idobi, Idiepa, Lepiya, Araromi, Obatedo, Igele, Malofe, Oparabasu, Gbegude, Ajeleanwa, Okeawuya.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-three members, namely,
Thirteen traditional members
Forty elected members.

6. The quorum shall consist of eighteen members.

7. The thirteen traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Lenuwa of Ode-Omi ;
- (b) The Oloja of Iwopin ;
- (c) The Onipe of Ibu ;
- (d) The Elero of Itebu ;
- (e) The Onirokun of Irokun ;
- (f) The Bale of Abigi ;
- (g) The Bale of Makun ;
- (h) The Bale of Oni ;

- (i) The Oloja of Aiyede ;
 (j) The Bale of Ayila ;
 (k) The Bale of Efire ;
 (l) The Bale of Ilushin ;
 (m) The Bales of Ologbon, Akilla, and Sunmoge in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
A.—IWOPIN GROUP	
1. Iwopin I	1
2. Iwopin II	1
3. Lagba, Oriwu, Idiakoro, Olojumeta	1
4. Abata, Imeki, Mushiiri, Warri Camp	1
5. Oni	1
6. Ebute-Oni, Shanolu, Demolu, Ikale-Oni	1
7. Orogun Camp, Alo, Elerugberu	1
8. K.B. Camp, Oriken, Mosafejo, Morokoro, Molopopo Lepiya, Obatedo, Idakun, Ita-Omo, Idobi, Molofe	1
9. Sunmoge, Oruda, Ologbun, Oparabasha	1
10. Akilla, Akilla Plantation, Totubanjo, Ajelanwa, Kajola	1
B.—ABIGI GROUP	
11. Abigi Town	1
12. Ita Baiye, Itatifolu, Italapen, Ita-Ogun, Itadipe, Iwa	1
13. Itale, Okerugbo, Italugade, Itatikelu	1
14. Lukogbe	1
15. Ibiyade, Toga, Toshu, Petu and Tebuwo	1
16. Ita-Otu, Toguren, Kibotu	1
17. Tigara, Shibade, Lokula, Igbafo and Ago-Igbafo	1
18. Tayoku, Togbunren	1
19. Agodo, Ti-Lori, Apata	1
20. Urhobo Origele, Ikale Origele, Ti-bashi, Demeji and Arigbago	1
21. Ilushin I	1
22. Ilushin II	1
23. Ilushin III, Odo Ahan	1
24. Efire I	1
25. Efire II	1
26. Makun-Omi	1
27. Ode-Omi I	1
28. Ode-Omi II	1
29. Ti-Dayu, Akede, Enuwaya, Elefon, Eba	1
30. Irokun, Igbo-Edu, Obimilchin	1
C.—ARIJAN GROUP	
31. Ibu, Idepe, Kogun, Edunda, Ipaki Logbosere	1
32. Lomiro, Latala, Gborowo, Okera, Batedo	1
33. Itebu	1
34. Aiyede	1
35. Ajegunle, Idobilayo	1
36. Arijan, Igboji, Okebi	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
<i>C. ARIJAN GROUP—co td.</i>	
37. Ayilla I	1
38. Ayilla II	1
39. Igodan, Ligon, Lowodo	1
40. Aiyetumara, Ijako, Gbolojo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 9th day of August, 1954, or as near as may be, and the first meeting of the Council shall be held on the 26th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJEBU DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may :—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (f) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE IJEBU DIVISIONAL COUNCIL

The Council may—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

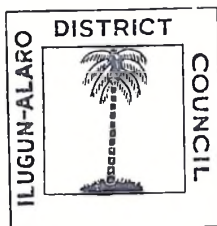
(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

W.R.L.N. 42 of 1954

*The Western Region Local Government Law, 1952*INSTRUMENT ESTABLISHING THE ILUGUN-ALARO
DISTRICT COUNCIL

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ilugun-Alaro District Council (hereinafter called "the Council") shall be established upon the 16th day of August, 1954.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Ilugun-Alaro District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ilugun-Alaro District, namely,
(a) the Ilugun Native Court area comprising the following villages and their hamlets :—

Ododoyo, Idode, Odosenbora, Imcwuro, Odosimadegun, Atan, Omu, Gbawojo, Gbawojo, Odosiwonade, Oriwu, Imuku, Iworo, Oke Aye, Odogogo, Idorunwon, Isowe, Oke Eri, Akurugbudu, Imuroko, Ibido, Ilumerin, Egushen, Eti Obu, Imafon, Odosubughawa, Odotun, Iworo Emusen, Idona, Igbasa, Okeware, Ilodu, Imedu, Okelapenni, Idomowo, Okejara, Oke Efon, Oketi, Idosere ;

(b) the Alaro Native Court area comprising the following village areas :—

Odosenlu, Imomo, Igede, Egbe, Odogbondu, Oke-Ejo, Oke-Ogbogun, Erofo, Odosenbola, Lawano, Ipabi, Idotun, Erioburu, Atagure, Iyawe, Itowo, Odoseneyinwa, Idotun Dela, Okeolowu, Okesaga, Oke Eki ;

(c) Orunwa Village.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.
5. The Council shall consist of thirty-five members, namely,
Five traditional members
Thirty elected members.
6. The quorum shall consist of twelve members.
7. The five traditional members shall be elected every three years by secret ballot by and from amongst the Head of each of the villages listed in paragraph 3 of this Instrument.
8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Idode I	1
2. Idode II	1
3. Idode III... ..	1
4. Odosimadegun	1
5. Oke Ware, Imafon, Imuroko, Igbusa	1
6. Odosiwonade, Egunshen	1
7. Odosubugbawa, Odogogo	1
8. Odosenbora I	1
9. Odosenbora II	1
10. Atan	1
11. Idorunwo, Oke Aye	1
12. Gbawojo, Iworo Imushin	1
13. Omu Gbawojo	1
14. Ibido, Oke Eri, Ilodu, Idomowo, Idosere	1
15. Oriwu, Ilumerin, Oke Eti	1
16. Imewuro I	1
17. Imewuro II, Imedu, Oke Afon	1
18. Ododeyo I	1
19. Ododeyo II	1
20. Ododeyo III	1
21. Imuku, Isowe, Idotun	1
22. Ekurugbudu, Idona, Okejara, Okelapeni, Iworo II	1
23. Odosenlu I	1
24. Odosenlu II, Ipabi	1
25. Imomo I	1
26. Imomo II	1
27. Oke-Eki, Atagure, Erioburo, Odotun, Igede	1
28. Oko Ejo, Egbe, Odogbondu, Senbola	1
29. Iyawé, Okcsaga, Okeogbogun, Odosennciyiwa, Okecolowu, Itawo, Lawono, Erofo, Idotun Dela... ..	1
30. Orunwa	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 23rd day of June, 1954, or as near as may be, and the first meeting of the Council shall be held on the 18th day of August, 1954.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 26th day of February, 1954.

T. N. ROSSER,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJEBU DIVISIONAL COUNCIL

The Council shall—

(i) *Obligatory Functions*

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may :—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Ijebu Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(d) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(e) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any maternity home or dispensary ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9) to (16) inclusive, (18), (19), (20), (21), (24), (28), (29), (30), (31), (32), (33), (38), (39), (42), (43), (44), (45), (47), (48) to (55) inclusive, (59), (61), (62), (63), (67), (68), (70), (71), (72), (74), (75), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE IJEBU DIVISIONAL COUNCIL.

The Council may—

(a) build, equip, and maintain, or grant sums of money towards the establishment, equipment, or maintenance of asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (36), (37), (40), (41), (46), (56), (57), (60), (64), (65), (66), (69), (73), (76), (79), (80), (81), (82).

W.R.L.N. 43 of 1954

The Native Courts Ordinance (Cap. 142)

ORDER IN COUNCIL

In exercise of the powers conferred upon a Lieutenant-Governor in Council by section 12 of the Native Courts Ordinance the following Order in Council is hereby made :—

Short title. 1. This Order in Council may be cited as the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment No. 1) Order in Council, 1954.

Amendment to Order in Council No. 1 of 1945. 2. The Third Schedule to the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) Order in Council is hereby amended by the addition of the following particulars at the end of the said Schedule :—
"ALL PROVINCES ALL NATIVE COURTS SECTIONS 249 AND 250"

3. All further references in this Schedule to sections 249 and 250 in so far as they concern the Western Region are hereby deleted.

MADE by the Lieutenant-Governor in Council this 5th day of February, 1954.

T. N. ROSSER.

*Clerk to the Executive Council,
Western Region*

10653

W.R.L.N. 44 of 1954

The Native Courts (Colony) Ordinance (Cap. 143)

ORDER IN COUNCIL

In exercise of the powers conferred upon a Lieutenant-Governor in Council by section 10 of the Native Courts (Colony) Ordinance the following Order in Council is hereby made :—

Short title. 1. This Order in Council may be cited as the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) (Amendment No. 2) Order in Council, 1954.

Amendment to Order in Council No. 1 of 1945. 2. The Third Schedule to the Native Courts (Jurisdiction in Miscellaneous Criminal Offences) Order in Council is hereby amended by the addition of the following particulars at the end of the said Schedule :—

"COLONY ALL NATIVE COURTS SECTIONS 249 AND 250"

MADE by the Lieutenant-Governor in Council this 5th day of February, 1954.

T. N. ROSSER.

*Clerk to the Executive Council,
Western Region*

10653

W.R.L.N. 45 of 1954

ORDER made under THE LAGOS LOCAL GOVERNMENT
LAW (No. 4 of 1953)

In exercise of the powers conferred on the Lagos Town Council by section 135 of the Lagos Local Government Law, 1953, the following Order has been made with the approval of the Regional Authority.

1. This Order may be cited as the Lagos General Rate Order No. 1 of 1954, and shall come into force on the 1st day of April, 1954. Short title.
2. A half-yearly rate shall be levied in respect of the tenements referred to in the Schedule 'A' and 'B' hereto. Half-yearly Rate.
3. Such half-yearly rate shall be calculated—
 - (a) at the rate of three shillings and eight pence for each pound of the annual value of the tenements referred to in Schedule 'A' other than those specified in paragraph (b) of this Order; Calculation of half-yearly rate.
 - (b) at the rate of three shillings and two pence for each pound of the annual value of the tenements referred to in Schedule 'A' which are occupied by any social club or club constituted solely for the purpose of any game or sport;
 - (c) at the rate of one-and-a-half *per centum* of the unimproved value of the tenements referred to in Schedule 'B' other than those specified in paragraph (d) of this Order; and
 - (d) at the rate of one *per centum* of the annual value of the tenements referred to in Schedule 'B' which are occupied by any social club or club constituted solely for the purpose of any game or sport.
4. The date on which payment of the said general rate shall become due and payable shall be the 1st day of April, 1954. Date of payment.
5. The following tenements shall be totally exempt from the payment of the said general rate— Exemptions.
 - (a) tenements on which no building whether of a permanent or temporary nature is erected, when such tenements are not assessed by reference to the unimproved value;
 - (b) tenements owned by Government and the Lagos Town Council;
 - (c) places of worship, cemeteries and public parks and recreation grounds;
 - (d) tenements occupied by schools in so far as they are occupied and used solely for schools as distinct from residential purposes;
 - (e) tenements assessed by reference to their annual value of which the annual value does not exceed six pounds; and,
 - (f) tenements in any area so situated as, in the opinion of the Lagos Town Council, to justify their total exemption.
6. The following tenements shall be partially exempt from the payment of the said general rate :—
 - tenements in any area so situated as, in the opinion of the Lagos Town Council, to justify their partial exemption.
7. The Lagos General Rate Order No. 2 of 1953 is hereby revoked. Revocation of Lagos General Rate Order No. 2 of 1953.

SCHEDULE 'A'

All tenements within the Assessment Area as defined in Government Notice No. 1370 of 1948 which are assessed or which may hereafter be assessed in accordance with the Assessment Ordinance (Cap. 16), except the tenements referred to in Schedule 'B'.

SCHEDULE 'B'

All tenements situated within the area known as the Yaba Estate which are assessed by reference to their unimproved value, so long as they remain so assessed.

MADE by the Lagos Town Council this 28th day of December, 1953.

D. M. O. AKINBIYI,
Acting Town Clerk

APPROVED by the Lieutenant-Governor in Council this 19th day of February, 1954.

T. N. ROSSER,
*Clerk to the Executive Council,
Western Region*

W.R.L.N. 46 of 1954

*RULES made under THE MARKETS ORDINANCE
(Cap. 127)*

In exercise of the powers conferred upon native authorities by section 5 of the Markets Ordinance, the following Rules have been made by the Egun-Awori Area Native Authority with the approval of the Administrator of the Colony:—

1. These Rules may be cited as the Egun-Awori Area Native Authority (Badagry Market) Rules, 1954, and shall apply to the Badagry Market.

2. In these Rules:—

"market" means the Badagry Market;

"market master" means the person appointed by the native authority to be in charge of the market and to enforce the observance of these Rules;

"native authority" means the Egun-Awori Area Native Authority.

3. The market shall open on such days and times as the Native Authority shall appoint.

4. (1) The following fees shall be paid in advance to the market master on behalf of the native authority by persons selling or exposing for sale, food or merchandise or carrying on their trade calling in the market:—

						£	s	d
(a) For Native Authority maintained small stalls having an area not exceeding 45 sq. ft.:								
Monthly	...	...	...	...	...	0	3	0
Yearly	...	...	...	...	...	1	13	0
(b) For Native Authority maintained Large Stalls having an area not exceeding 80 sq. ft.:								
Monthly	...	...	...	...	...	0	4	0
Yearly	...	...	...	...	...	2	4	0

(c) For Native Authority maintained Produce Stores having an area not exceeding 96 sq. ft. :							
Monthly	...	...	...	...	...	...	0 6 0
Yearly	...	...	...	...	...	...	3 6 0
(d) For Native Authority maintained Produce Stores having an area exceeding 96 sq. ft. but not exceeding 160 sq. ft. :							
Monthly	...	...	...	...	...	...	0 10 0
Yearly	...	...	...	...	...	...	5 10 0
(e) For Native Authority maintained Large Produce Stores having an area not exceeding 320 sq. ft. :							
Monthly	...	...	...	...	...	...	1 0 0
Yearly	...	...	...	...	...	...	11 0 0
(f) For Native Authority maintained Butchers Stalls :							
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

(2) A receipt shall be issued by the market master for fees paid to him.

5. Any person who—

(a) uses the market or any plot, stall or store therein for the purpose of selling any article or carrying on his trade in the market, the prescribed fees therefore not having been previously paid ;

(b) erects any stall, shed, building, walls, fence or enclosure in the market without the consent of the Native Authority ;

(c) allows a store or stall which he or she has hired to be insanitary or fails to keep it clean ;

(d) exposes for sale in the market, produce, merchandise or any substance except in such places as are set aside by the Native Authority for the sale of such wares ;

(e) sells meat or fish in any part of the market other than that set aside by the Native Authority for the purpose ;

(f) cooks food in any part of the market other than that set aside by the Native Authority for the purpose ;

(g) places any obstruction in the alleys or the passages of the market ;

(h) deposits refuse in any place other than in a receptacle provided for the purpose ;

(i) not being a duly authorised watchman or labourer is in any portion of the market between 9 p.m. and 5 a.m.

(j) sublets any plot or stall without the consent of the Native Authority ;

(k) commits a nuisance in the market ;

(l) sells or carries on his trade when the market is not open ;

(m) without the consent of the Native Authority leaves in the foreshore or in the water adjacent thereto a canoe or craft for a period longer than seven days ; shall be guilty of an offence and shall be liable to a fine of one pound (£1) or seven days imprisonment in default.

6. (1) Any person who in contravention of rule 5 (b) erects any stall, shed, building, wall, fence or enclosure within the market without the consent of the Native Authority may be required to remove the erection within such reasonable time as may be fixed by the Native Authority.

(2) If such person shall refuse or neglect to comply with the order of the Native Authority he shall be liable to an additional penalty of ten shillings for each twenty-four hours during which the erection remains. After the expiry of the period allowed for its removal, the Native Authority may, in its discretion, dismantle the erection, remove all the materials and sell them to pay any unpaid fine or any costs of such removal.

7. (1) No person shall upon market days set up a stall or table for the sale of goods or otherwise display goods for sale in any street or on any open public space within one mile from the edge of the market without a written permit from the Native Authority.

(2) Any person committing a breach of this Rule shall be guilty of an offence and liable to a fine of one pound or seven days imprisonment in default for the first offence and a fine of £2 or fourteen days imprisonment for default for any subsequent offence.

8. Any person other than the market master or other person duly appointed by the Native Authority, who collects or attempts to collect any fees, shall be guilty of an offence and shall be liable to a fine of five pounds or one months' imprisonment for default.

MADE by the Egun-Awori Area Native Authority for the Egun-Awori Native Authority Area this 2nd day of February, 1954.

J. O. O. SAMUEL,
President

M. B. ONIPEDE,
Clerk
for the Egun-Awori Area Native Authority.

Signed in accordance with section 32 of the Egun-Awori Area Standing Rules, 1953, dated the 28th day of February, 1953.

APPROVED by me at Lagos this 18th day of February, 1954.

W. FOWLER,
Acting Administrator of the Colony

W.R.L.N. 47 of 1954

REGULATIONS made under THE WESTERN REGION
BETTING DUTY LAW, 1954

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 7 of the Western Region Betting Duty Law, 1954, the following regulations are hereby made :—

1. These Regulations may be cited as the Western Region Betting Duty Regulations, 1954. Short title.
2. All tickets printed for a recognised or authorised race club organising a lottery or sweepstake or conducting a totalisator shall be printed by a person approved by the Financial Secretary and such person shall, within a period of seven days of delivery of the tickets, make a statutory declaration as to their number, particulars of the same, and date of delivery and shall forward the same forthwith to the Financial Secretary. Declaration by printer of tickets printed and delivered.
3. (1) The Secretary of every recognised or authorised race club organising a lottery or sweepstake or conducting a totalisator shall draw up for the Financial Secretary a statement showing:— Clubs to prepare audited statement.
 - (a) the number of tickets sold and the amounts received in respect of the totalisator betting on each race ; and
 - (b) the number and value of lottery or sweepstake tickets sold and the amount that may be otherwise contributed to the pool.
- (2) Such statement shall be audited and signed by an auditor approved by the Financial Secretary.
4. The statement made under regulation 3 shall be drawn up and delivered to the Financial Secretary within fourteen days after the day on which the race is held. Delivery of statement.
5. The Financial Secretary or any person generally or specially authorised thereto by him may at all reasonable times require from the secretary of a recognised or authorised race club the production at such place as he may direct of any books, accounts, vouchers, lists, counterfoils or other documents relating to any totalisator, lottery or sweepstake. Production of books and accounts.
6. All duty shall be paid within such time and in such manner as the Financial Secretary may prescribe. Payment of duty.
7. The Financial Secretary may prescribe forms for use under these Regulations. Forms.
8. Any person who acts in contravention of or fails to comply with any provision made in regulations 2, 3, 4 and 5 shall be liable on conviction to a fine of one hundred pounds or imprisonment for six months. Penalty.

MADE at Ibadan this 9th day of March, 1954.

T. N. ROSSER,
Clerk to the Executive Council

B 152

W.R.L.N. 48 of 1954

The Assessment Ordinance (Cap. 16)

The Lieutenant-Governor has been pleased to direct that the Assessment Ordinance shall cease to apply to the town of Ibadan in the Ibadan Province as from the 1st day of April, 1954.

2. Public Notice No. 337 of 1943 and Government Notice No. 1222 of 1943 are hereby cancelled.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

6th March, 1954.

25947

W.R.L.N. 49 of 1954

Western Region Betting Duty Law, 1954 (No. 1 of 1954)

DATE OF COMMENCEMENT

In exercise of the powers conferred on him by section 1 of the Western Region Betting Duty Law, 1954, the Lieutenant-Governor, after consultation with the Executive Council, has fixed the 1st day of April, 1954, as the date upon which the aforesaid Law shall come into operation.

T. N. ROSSER,
Clerk of the Executive Council

Ibadan, 9th March, 1954.

26231

W.R.L.N. 50 of 1954

BYE-LAWS made under THE LIQUOR ORDINANCE
(Cap. 114)THE OGBOMOSHO DISTRICT NATIVE AUTHORITY
(LIQUOR LICENSING) BYE-LAWS, 1954

In exercise of the powers conferred upon native authorities by section 22 of the Liquor Ordinance the following Bye-laws have been made by the Ogbomosho District Native Authority with the approval of the Governor.

1. These Bye-laws may be cited as the Ogbomosho District Native Authority (Liquor Licensing) Bye-laws, 1954, and shall apply to the area of jurisdiction of the Ogbomosho District Native Authority in the Oshun Division of the Ibadan Province. Title and Application.

2. In these Bye-laws, "Native Authority" means the Ogbomosho District Native Authority. Definitions.

3. Any person who shall sell intoxicating liquor to any person except under a licence authorising such sale, shall be guilty of an offence and liable on conviction to a fine of fifty pounds. Prohibition of sale of intoxicating liquor except licence.

4. The President of the Ogbomosho Grade "B" Native Court shall be the Licensing Officer for the purpose of these Bye-laws. Appointment of Licensing Officer.

5. Licences of the several descriptions following, authorising the sale of intoxicating liquor subject to the provisions of these Bye-laws, may be issued by the Licensing Officer :— Licences authorising the sale of liquor.

- (i) A wine and beer off licence ;
- (ii) A wine and beer on licence ;
- (iii) A general wholesale liquor licence ;
- (iv) A general retail liquor licence ;
- (v) A hotel liquor licence ;
- (vi) A club liquor licence ;
- (vii) A temporary liquor licence ;
- (viii) A tavern licence.

6. No licence mentioned in the last preceding bye-law, other than a temporary liquor licence, shall be issued except on a certificate granted by the Native Authority. Authority for issue of licence.

7. The following definitions and provisions shall apply to the aforementioned licences :— Definitions and conditions of licence.

(1) A "wine and beer off licence" authorises the sale in quantities not exceeding two bottles to any one person during the space of twenty-four hours of wine and beer to be consumed elsewhere than on the licensed premises. The licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol.

(2) A "wine and beer on licence" authorises the sale by retail of wine and beer to be consumed on the licensed premises. The licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol.

(3) A "general wholesale liquor licence" authorises the sale by wholesale of any liquor for consumption off the licensed premises.

(4) A "general retail liquor licence" authorises the sale in quantities not exceeding two gallons to any one person during the space of twenty-four hours of any liquor for consumption off the licensed premises.

(5) A "hotel liquor licence" authorises the sale of liquor, other than trade spirits, by retail :—

(a) on any day and at any hour to persons sleeping on the premises to be consumed thereon ;

(b) to persons taking meals in the hotel to be consumed therein with the meals, on Christmas Day, Good Friday, or Sunday between the hours of 11.30 a.m. and 2.30 p.m. and 6.30 p.m. and 10.30 p.m. and other days between the hours of 8.00 a.m. and 11.30 p.m.

(6) A "club liquor licence" authorises the sale of liquor, other than trade spirits, to the members of the club to be consumed on the premises.

(a) No place of accommodation, entertainment or refreshment shall be considered a club where other than members or their invited guests are allowed entry or accommodation or where other than members are charged or permitted to pay for any refreshment or accommodation they may obtain therein ;

(b) Every club licence shall be issued to the proprietor, secretary or manager of the club :

Provided that no transfer of any such licence shall be necessary upon any change of any such proprietor, secretary or manager, but the person for the time being holding any such office shall be entitled to the privilege granted by the licence and subject to the duties and obligations imposed upon the holder thereof ;

(c) The Native Authority shall not authorise the grant or renewal of a club liquor licence unless the applicant shall produce a certificate from the Resident, Ibadan Province, which shall state that it has been made to appear to his satisfaction that the club mentioned therein is a *bona-fide* club and is a proper club to be granted a licence.

A copy of the rules of the club certified by the Secretary or Chairman must be deposited by the applicant with the officer from whom such certificate is requested.

(7) (a) A "temporary liquor licence" may be issued to the holder of a licence to sell intoxicating liquor by retail and authorises the holder to sell liquor by retail at any place of recreation of public amusement or other assembly, subject to such restrictions and conditions as the officer issuing the licence shall think proper.

(b) A "temporary liquor licence" shall not be granted for any period exceeding three days.

(c) The licence shall specify the number of days and the hours during which the sale thereunder is authorised.

(8) A "tavern licence" authorises the sale by retail of liquor other than trade spirits, to be consumed on the licensed premises.

Hours during which liquor may be sold.

8. A wine and beer off licence, a general wholesale liquor licence or a general retail liquor licence shall not authorise the sale of liquor on Christmas Day, Good Friday or Sunday except between the hours of 12.30 p.m. and 2.00 p.m. and 5.00 p.m. and 7.00 p.m., or on any other day except after 8.00 a.m. and before 8.00 p.m.

9. Every licence mentioned by bye-law 5, other than a temporary licence shall expire on the 31st December in the year in which it is issued :

Licence to expire on 31st December.

Provided that when proper application for the renewal of a licence has been made, such licence shall continue in force until such time as the applicant has been notified of the decision of the Ogbomosho District Native Authority Council.

10. (1) All applications for new licences or for the renewal of licences which may be issued on the certificate of the Native Authority shall be made to the Licensing officer in the prescribed form—

Application to whom made.

(a) If for consideration at the session of the Native Authority to be held in March not later than 15th January.

Form and time of making application.

(b) If for consideration at the session of the Native Authority to be held in June not later than 15th April.

(c) If for consideration at the session of the Native Authority to be held in September not later than the 15th July.

(d) If for consideration at the session of the Native Authority to be held in December not later than the 15th of October:

Provided that in case any application shall not be made in due time, but shall be made before the Licensing Authority has concluded his enquiry and report, the Licensing Officer may, if he thinks fit, accept the same for consideration upon payment of an additional fee of five pounds.

(2) Any person who in making any such application, knowingly makes any false statement with regard to the particulars required in such application shall be liable to a fine of fifty pounds and any licence issued on such application may be cancelled by the Native Authority.

11. The Licensing Officer shall on receipt of an application—

Procedure on receipt of application.

(a) cause a copy of the application to be posted in some conspicuous place outside his court ;

(b) notify the applicant and the District Officer in writing and the public by a notice published as provided in paragraph (a) above of the date and place on and at which he will sit to inquire into the application and hear objections thereto, which date shall not be less than ten days after the posting of such notice.

12. (1) Any person residing in the district or place wherein the licence or renewal is applied for, may object to the granting or renewal of a licence.

Who may object to issue of licence.

(2) Such objection must be made in writing to the Licensing Officer at least two days before the enquiry.

13. (1) The inquiry into an application for a new licence or for the renewal of a licence shall be held in public in Ogbomosho Grade "B" Native Court by the Licensing Officer sitting with two members of the said Court, provided that no applicant for, or holder of, a licence shall be eligible to sit.

Inquiry.

(2) Every applicant for a new licence shall appear in person at the time and place appointed for the inquiry or to which the inquiry may be adjourned.

(3) Every applicant for the renewal of a licence, and persons opposing an application may and shall if required by the Officer holding the inquiry, appear in person before such officer.

(4) Any person appearing at any inquiry, whether as an applicant or as a person opposing an application, may be required to give evidence on oath on any question which the inquiry Officer may think proper affecting the application or the opposition thereto.

(5) An inquiry may be adjourned from time to time as the Officer holding the inquiry may think proper, provided that the inquiry is completed by such time as will permit of the report thereon being furnished to the Native Authority within the time mentioned in the next succeeding bye-law.

After inquiry application and report thereon to be furnished to the Native Authority.

14. (1) Immediately on the completion of such inquiry, the Licensing Officer shall forward a copy of the application together with the written opposition (if any) thereto and a certified copy of any evidence thereon to the Native Authority so that the same shall be received not later than the last day of the month next preceding that in which the Native Authority will sit to consider such application.

(2) The Licensing Officer shall, when forwarding the application, report to the Native Authority on all matters which may affect the decision of the Native Authority in respect of the application which report shall contain, in the case of an application for a new licence, information as to—

(a) the character and circumstances of the applicant and

(b) suitability of the premises in respect of which the licence is required and he shall furnish the Native Authority with his recommendations and that of the members of the Court sitting with him.

Sitting of Native Authority.

15. The Native Authority shall sit in the first week in March, June, September and December for the purpose of taking into consideration applications which have been forwarded to them by the Licensing Officer.

Discretion of the Native Authority.

16. The Native Authority may in their discretion grant or refuse to grant a certificate for a licence or renewal of a licence or, may grant a certificate, subject to any special conditions they may think proper not being repugnant to these Bye-laws. Any such conditions shall be specified in the certificate and shall be embodied in the licence.

Decision of Native Authority to be notified to the applicant through Licensing Officer.

17. (1) The decision of the Native Authority and the certificate, if any, shall be sent by the Clerk of the Council to the Licensing Officer and shall be notified by such officer to the applicant.

Issue of Licence.

(2) The Licensing Officer receiving the certificate shall on the receipt of the prescribed fee issue a licence in the terms of the certificate.

Extension of existing licence when renewal refused.

18. When a certificate for the renewal of a licence shall have been refused by the Native Authority, the Native Authority may in their discretion authorise the issue of a licence to the applicant for such period as the Native Authority may think proper to enable him to dispose of the liquor then in his possession. A proportionate part of the prescribed fee for the annual licence shall be paid for every such licence.

Death of applicant.

19. In case the applicant shall die after applying for the grant or renewal of a licence and before the licence or renewal licence has been issued, the Native Authority may authorise the issue of the licence or renewal licence to the executor, administrator, or trustee as the case may be, of the estate of such applicant.

Transfer of Licence.

20. No licence issued under these Bye-laws shall be transferable except in the event of the death of the holder of a licence, in which case the Native Authority may make such order as to transfer as they think just.

21. (1) Every holder of a licence other than a temporary licence granted under these Bye-laws shall suspend or affix or maintain over the entrance to the licensed premises, a board of not less dimensions than two feet by eight inches, on which shall be printed in legible characters the name of the licensee and the class of the licence of which he is the holder.

Provision of
Sign Board.

Penalty—a fine of fifty pounds.

(2) No person who is not licensed shall have any words on his premises purporting that he is licensed, and no licensed person shall have any word or letter on his premises purporting that he is licensed in any other way than that in which he is duly licensed.

Penalty—a fine of fifty pounds.

22. The penalties under these Bye-laws shall be imposed by the Ogbomoso Grade "B" Native Court.

Court
imposing
penalties.

23. If any person being the manager for, or the servant of, or authorised to act for, a licence-holder shall do any act or thing or be guilty of any omission which if done or omitted by the licence-holder would constitute an offence by the licence-holder both such person and the licence-holder shall be liable to the penalties prescribed by these Bye-laws for such offence, whether such act, thing, or omission was done or made with or without the knowledge or consent of the licence-holder.

In case of an
offence of the
servant, etc.,
of a licence
holder both
the servant,
etc., and
licence-
holder to be
liable to
penalties
prescribed.

24. The holder of a retail licence who—

Offences by
retail licence
holder.

(a) permits drunkenness or any riotous or quarrelsome conduct to take places upon his premises ;

(b) sells liquor to any person already in a state of intoxication or by any means encourages or incites any such person to drink intoxicating liquor ;

(c) sells liquor to a child under fourteen years of age ;

(d) sells or supplies liquor to any soldier or police officer on duty, or knowingly harbours or suffers to remain on his premises, any such soldier or police officer unless for the purpose of keeping or restoring order or in execution of his duty ;

(e) permits the premises to be used as a brothel or the habitual resort or place of meeting of prostitutes, or allows any such person to remain on the licensed premises longer than is necessary for the consumption of any liquor purchased by her ;

(f) fails to admit to, or obstructs any police officer or other authorised person from entering the licensed premises in the execution of his duty or fails to produce his licence when demanded by a police officer or other authorised person ;

(g) keeps his premises open for the sale of liquor during any time when he is not authorised by his licence to sell liquor or allow any liquor to be consumed on such premises during any such time ;

(h) being the holder of a tavern licence, a wine and beer licence or general retail liquor licence, permits gaming or any unlawful game to be played on the licensed premises, shall be liable to a fine of fifty pounds.

Offences by persons other than the licence-holder.

25. Any person who—

(a) not being the occupier or a servant or member of the family of the occupier consumes any intoxicating liquor on premises licensed for the sale of liquor by retail during the hours when the sale of liquor is prohibited ; or

(b) obtains or attempts to obtain intoxicating liquor during the hours when the sale of liquor is prohibited by falsely representing himself to be a person sleeping on the hotel premises ; or

(c) being found on licensed premises during the hours during which the sale of liquor is prohibited, refuses his name and address when demanded by a police officer, or gives a false name or address, shall be liable to a fine of five pounds for a first offence and of ten pounds for any subsequent offence.

Power to expel drunkards, etc., from licensed premises.

26. Any licensed person or his agent or servant may refuse to admit to or may turn out of his licensed premises, by force if necessary, any person, who is drunk, violent, quarrelsome or disorderly, and any person whose presence on his premises would subject him to a penalty under these Bye-laws ; and any such person who, on being requested by such licensed person or his agent or servant or by a police officer to quit such premises refuses or fails to do so, shall be liable to a fine of five pounds and all police officers are required, on demand of such licensed person, agent or servant to expel or assist in expelling such person from such premises and may use such force as may be required for the purpose.

Conviction of licence-holder and forfeiture and endorsement of licence.

27. (1) The holder of any licence, who shall either himself or through his servant commit any breach of the conditions of his licence shall be guilty of an offence and liable, on conviction, to a fine of fifty pounds.

(2) Whenever a licence-holder shall be convicted of an offence under these Bye-laws, his licence shall be liable for forfeiture.

(3) Every conviction of a licence-holder under these Bye-laws shall be endorsed on his licence by the convicting Court, and the licence-holder shall produce his licence to the Court for such purpose.

(4) Any person who—

(a) shall neglect or refuse to produce his licence as required by the preceding sub-byelaws ; or

(b) without proper authority obliterates or alters any such endorsement as aforesaid ; shall be liable to a fine of ten pounds.

28. Every member of the Ibadan Province Native Authority Police Force may—

Power of Police.

(a) enter any licensed premises at any time for the purpose of detecting or preventing any breach of the provisions of these Bye-laws or any licence issued under these Bye-laws.

(b) at any time demand the production of any licence granted under these Bye-laws.

Fees.

29. The following fees shall be payable for licences :—		£	s	d
(1) On application (other than for a temporary licence) ...		0	5	0
(2) Wine and Beer Off Licence		2	10	0
(3) Wine and Beer On Licence		5	0	0
(4) General Wholesale Liquor Licence		15	0	0
(5) General Retail Liquor Licence		15	0	0
(6) Hotel Liquor Licence		25	0	0
(7) Club Liquor Licence		5	0	0
(8) Temporary Liquor Licence (for each day, or continuous period not exceeding twelve hours on two days) ...		1	0	0
(9) Tavern Licence		25	0	0

Provided that in the case of any licence other than a temporary licence which is not issued before 30th June in any year, half only of the fee prescribed for such licence shall be demanded.

30. Subject to the express provisions, if any, of these Bye-laws the forms contained in the Schedule shall with such variations as the circumstances of the particular case may require, be used in the cases to which they apply. Use of forms in Schedule.

DATED this 13th day of February, 1954, at Ogbomosho.

OLATUNJI ELEPO II,
Shoun of Ogbomosho—President

J. O. ADIGUN, M.H.A.
Chairman

ADEGUN ADENIRAN,
Council Clerk

Signified in accordance with the Ogbomosho Native Authority Standing Rules, 1954, made the 1st day of February, 1954.

APPROVED by the Governor this 18th day of March, 1954.

By His Excellency's Command,

O. P. GUNNING,
Acting Administrative Secretary to the Government

SCHEDULE

FORM A

*The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority*

APPLICATION FOR A LICENCE BY A PERSON WHO DOES NOT HOLD A LICENCE OF THE CLASS APPLIED FOR IN RESPECT OF THE PREMISES FOR WHICH THE LICENCE IS REQUIRED

To the President, Ogbomosho "B" Native Court.

- (1) Name of Applicant
- (2) Tribe of Applicant
- (3) Age of Applicant
- (4) Address of Applicant
- (5) Class of Licence required
- (6) Description and situation of premises in respect of which the Applicant has previously held any licence authorising the sale of Liquor which has been forfeited or revoked.

DATED this day of 19

Fee—Five shillings

.....
Signature of Applicant

FORM B

*The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority*

APPLICATION FOR THE RENEWAL OF LICENCE

To the President, Ogbomosho "B" Native Court.

- (1) Name of Applicant
- (2) Class and Number of Licence held.
- (3) Description and situation of the premises licensed
- (4) Whether any conviction has been endorsed on the current licence since it was issued, and if so the particulars of each endorsement.

DATED this day of 19

Fee—Five shillings

.....
Signature of Applicant

FORM C

The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority

CERTIFICATE OF THE OGBOMOSHO DISTRICT NATIVE AUTHORITY
 FOR THE GRANT OF RENEWAL OF A LICENCE

TO ALL PERSONS CONCERNED :

This is to certify that the application of _____ licence
 of _____ for a _____ licence
 in respect of _____ having been considered by the
 Native Authority at a meeting held on the _____ day of _____
 19 _____ the Native Authority has directed that the aforesaid licence may be issued
 to the said _____ in respect of the said premises ;
 subject to the following special conditions to be endorsed on the licence and to be
 observed by the Licencee :—

DATED this _____ day of _____ 19 _____

Chairman

FORM D

The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority

WINE AND BEER ON LICENCE

_____ of _____ is hereby
 authorised to sell by retail wine and beer on _____ to be consumed on the
 said premises.

This licence does not authorise the sale of wine and beer containing more than
 twenty per cent of pure alcohol and is issued subject to the Bye-laws relating to the
 sale of liquor passed by the Native Authority and to the following special conditions :—

DATED this _____ day of _____ 19 _____

Fee—£5

Licensing Officer

FORM E

The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority

WINE AND BEER OFF LICENCE

_____ of _____ is hereby
 licensed to sell by retail wine and beer on _____ to be consumed elsewhere
 than on the said premises. This licence does not authorise the sale of wine and beer
 containing more than twenty per cent alcohol, and is issued subject to Bye-laws
 relating to the sale of Liquor passed by the Native Authority and to the following
 special conditions :

DATED this _____ day of _____ 19 _____

Fee—£2 10s.

Licensing Officer

FORM F

The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority

GENERAL *WHOLESALE/RETAIL LIQUOR LICENCE

_____ of _____ is hereby
 licensed to sell by *wholesale/retail intoxicating liquor on _____ to be
 consumed elsewhere than on the said premises.

The licence is issued subject to the provisions of the Bye-laws relating to the
 sale of liquor passed by the Native Authority and to the following special conditions :

DATED this _____ day of _____ 19 _____

Fee—£15

Licensing Officer

*Delete whichever does not apply.

FORM G

The Liquor Ordinance (Cap. 114)
Ogobomoshu District Native Authority

HOTEL LIQUOR LICENCE

..... of is hereby authorised to sell by retail on (description and situation of the hotel premises) intoxicating liquor other than trade spirits :—

- (a) on any day and at any hour, to persons sleeping on the said premises to be consumed thereon :
- (b) to persons taking meals on the said premises to be consumed thereon with the meals during hours in which the sale of liquor is allowed under a tavern licence.

This licence is issued subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder and to the Ogobomoshu District Native Authority (Liquor Licensing) Bye-laws, 1954, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this day of 19

Fee—£25

.....
Licensing Officer

FORM H

The Liquor Ordinance (Cap. 114)
Ogobomoshu District Native Authority

CLUB LIQUOR LICENCE

..... of being the of the Club known as and situate at is hereby authorised to sell intoxicating liquor other than trade spirits to members of the said club to be consumed on the club premises.

This licence is issued subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder and to the Ogobomoshu District Native Authority (Liquor Licensing) Bye-laws, 1954, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this day of 19

Fee—£5

.....
Licensing Officer

FORM I

The Liquor Ordinance (Cap. 114)
Ogobomoshu District Native Authority

TEMPORARY LIQUOR LICENCE

..... of being the holder of a (1) licence to sell intoxicating liquor by retail is hereby licensed subject to the provisions of the Liquor Ordinance and to the regulations for the time being in force thereunder and to the Ogobomoshu District Native Authority (Liquor Licensing) Bye-laws, 1954, to sell intoxicating liquor by retail at between the hours of and on the following days (2) subject to the special restrictions and conditions endorsed on the back hereof.

DATED this day of 19

Fee—£3 ; £2 ; £1 ; as the case may be.

(1)
 Definition.

(2)
 State number of days not excluding three.

.....
Licensing Officer

FORM J

The Liquor Ordinance (Cap. 114)
Ogbomosho District Native Authority
TAVERN LICENCE

of _____ is hereby
licensed to sell by retail intoxicating liquor other than trade spirits on _____
to be consumed on the said premises.
(Description and situation of premises).

This licence is issued subject to the provisions of the Liquor Ordinance and to the Ogbomosho District Native Authority (Liquor Licensing) Bye-laws, 1954, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this _____ day of _____ 19 _____

Fee—£25

Licensing Authority

1087/4

W.R.L.N. 51 of 1954

RULES made under THE NATIVE AUTHORITY ORDINANCE Cap. (140)

THE IBADAN DISTRICT NATIVE AUTHORITY (CAPTURE AND KILLING OF FISH) RULES, 1953

In exercise of the powers conferred upon native authorities by section 25 of the Native Authority Ordinance (Cap. 140) the following Rules have been made by the Ibadan District Native Authority with the approval of the Lieutenant-Governor, Western Region :—

1. These Rules may be cited as the Ibadan District Native Authority (Capture and Killing of Fish) Rules, 1953, and shall apply not only to persons normally subject to the jurisdiction of the Ibadan District Native Authority, but also to all other persons whilst within its area.

2. Definitions :—

"reservoirs" means those pieces of water in Ibadan known as the Eleiyele, Ogunpa and Railway Reservoirs ;

"Authority" means the Ibadan District Native Authority.

3. (a) The capture and killing of fish in reservoirs is prohibited except under licence granted by the Ibadan District Native Authority which may impose conditions therein.

(b) Every licence issued under this section shall expire on the 31st of December in the year in which it is issued.

(c) The fee payable for a licence shall be 15s.

(d) The form of licence for issue to an individual who is not a member of a Fishery Co-operative Society duly registered under the Co-operative Societies Ordinance (Cap. 39) or the Western Regional Co-operative Societies Law, 1953, shall be as set out in Schedule A hereto.

(e) The form of licence for issue to an individual who is a member of a Fishery Co-operative Society duly registered under the Co-operative Societies Ordinance (Cap. 39) or the Western Regional Co-operative Societies Law, 1953, shall be as set out in Schedule B hereto.

4. (a) The use of poison or of dynamite or other explosive for the killing or capturing of fish is prohibited.

(b) The use of seine or draw nets except by a Government Fisheries Officer is prohibited.

(c) No cast net or set net used for catching fish may have a mesh measured across a hole when the net is stretched of less than three inches.

(d) No trap, barrier, scoop or screen used for catching fish may have a mesh less than three inches long and one inch broad.

(e) The use of bait or any form of fishing that would pollute the reservoirs is prohibited.

5. The Authority may appoint a Fishery Licensing Officer and such officer shall have the duties of issuing licences in accordance with these Rules. The Authority may by order direct that for any period no licence shall be issued except to a member of a Fishery Co-operative Society duly registered under the Co-operative Societies Ordinance (Cap. 39), or the Western Region Co-operative Societies Law, 1953.

6. Whenever any Police, Administrative or Forest Officer, Magistrate or the Fishery Licensing Officer suspects that any person has committed a breach of these Rules, he may demand and inspect the licence of such person, who on demand shall deliver his licence for inspection and furnish his name and address to such officer.

7. Any person committing a breach of any of the provisions of rules 3, 4 and 6 of these Rules shall be liable in respect of each offence to a fine of five pounds or imprisonment for one month in default of payment of such fine, and his fishing equipment and fish may be ordered to be forfeited by the Court. If the person convicted is the holder of a licence his licence may be revoked by the Court or the Authority.

8. The Ibadan Native Authority (Capture and Killing of Fish in Eleiyele Reservoir) Rules, 1946, are hereby revoked.

SCHEDULE A (RULE 3 (d))

THE IBADAN DISTRICT NATIVE AUTHORITY (CAPTURE AND KILLING OF FISH) RULES, 1953

..... of is hereby licensed to fish in reservoirs (Eleiyele, Ogunpa and Railway). This licence is issued subject to the provisions of the Ibadan District Native Authority (Capture and Killing of Fish) Rules, 1953, and to the following special conditions:—

- 1.
- 2.
- 3.

DATED this day of, 19

Fee—Fifteen shillings.

.....
Licensing Officer

SCHEDULE B (RULE 3 (e))

THE IBADAN DISTRICT NATIVE AUTHORITY (CAPTURE AND KILLING OF FISH) RULES, 1953

..... of a member of the Co-operative Society, is hereby licensed to fish in reservoirs (Eleiyele, Ogunpa and Railway). This licence is issued subject to the provisions of the Ibadan District Native Authority (Capture and Killing of Fish) Rules, 1953, and to the following special conditions:—

- 1.
- 2.
- 3.

DATED this day of, 19

Fee—Fifteen shillings

.....
Licensing Officer

B 164

MADE by the Ibadan District Native Authority this 14th day of December, 1953.

The Seal of the Ibadan District Native Authority is hereby affixed in the presence of :—

His
X
Mark
IGBINTADE,
Olubadan—President

Witness to mark :—
R. S. BAOKU,
Council Clerk

V. OWOLABI ESAN,
Secretary

Signed in accordance with the Ibadan District Native Authority Standing Rules dated the 28th day of February, 1952.

APPROVED this 15th day of March, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

16546/5

W.R.L.N. 52 of 1954**ORDER made under THE DOGS ORDINANCE**
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ogbomoshó District) Declaration and Prohibition (Revocation) Order, 1954.
2. The Rabies (Ogbomoshó and District) Declaration and Prohibition Order, 1953, is hereby revoked.

MADE at Ibadan this 23rd day of March, 1954.

W.R. Public
Notice
No. 172 of
1953.

1415

N. E. WHITING,
Acting Resident, Ibadan Province

W.R.L.N. 53 of 1954**ORDER made under THE DOGS ORDINANCE**
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ifelodun District) Declaration and Prohibition (Revocation) Order, 1954.
2. The Rabies (Ifelodun and District) Declaration and Prohibition Order, 1953, is hereby revoked.

MADE at Ibadan this 23rd day of March, 1954.

W.R. Public
Notice
No. 166
of 1953.

1415

N. E. WHITING,
Acting Resident, Ibadan Province

W.R.L.N. 54 of 1954**RULES made under THE PUBLIC HEALTH**
ORDINANCE (Cap. 183)

In exercise of the powers conferred upon the Lieutenant-Governor by section 42 of the Public Health Ordinance, the following Rules are hereby made :—

1. These Rules may be cited as the Public Health (Amendment) Rules, 1954. Short title.

2. Rule 55 of the Public Health Rules is hereby amended by the insertion, immediately after paragraph (3) thereof, of the following proviso :—

"Provided that the registration fee shall be five pounds for the town of Lagos and one pound for the Townships of Sapele and Warri and Form B in the Schedule shall show the fee paid."

MADE by the Lieutenant-Governor this 30th day of March, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

Amendment
of Rule 55 of
Public
Health Rules.
Page 432,
Volume IX
of Laws of
Nigeria.

W.R.L.N. 55 of 1954

The Native Authority Ordinance (Cap. 140)

TEMPORARY APPOINTMENTS :

IJEBU DIVISIONAL NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 5 and 8 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) Ijebu Divisional Native Authority Notice, 1954.

2. The following persons are hereby appointed to the office of the Ijebu Divisional Native Authority for the period from the 6th of April, 1954, until further notice.

The Awujale of Ijebuland—*President*

The Orimolusi of Ijebu-Igbo — *Chairman*

Hon. T. A. Odotola, O.B.E., M.H.A.

Mr J. F. Ogunyemi

Mr E. O. J. Bamiro

Rev. T. T. Solaru

Mr E. I. Manuwa

Alhaji Oseni

Mr E. A. Fabamwo

The Liken of Ibefun

Mr E. O. Oyefeso

Mr I. A. Odutayo

The District Officer, Ijebu Division

The Olisa of Ijebu-Ode

Mr T. O. Ogunkoya

Rev. S. I. Kale, M.B.E.

Mr I. M. D. Ogunbanjo

The Ebumawe of Ago Iwoye

The Bale of Makun-Omi

Mr A. A. Adebule

Mr E. O. Talabi

The Olugbani of Okun Owa

The Ajalorun of Ijebu Ife

Mr J. S. Ogundipe

The Gbegande of Ososa.

3. A quorum of the Native Authority shall consist of any twelve members.

4. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 31st day of March, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

W.R.L.N. 58 of 1954

*BYE-LAWS made under THE LAGOS LOCAL
GOVERNMENT LAW, 1953*

In exercise of the powers conferred on the Lagos Town Council by section 142 of the Lagos Local Government Law, 1953, the following Bye-Laws have been made with the approval of the Regional Authority.

1. These Bye-Laws may be cited as the Townships (Lagos) (Amendment No. 2) Bye-Laws, 1954, and shall come into effect on the first day of April, 1954. Short title.

2. The Townships (Lagos) Bye-Laws are hereby amended by the deletion of Part XVI thereof and the Third Schedule thereto and the substitution of the following therefor :— Amendment
of Part XVI
of the Town-
ships (Lagos)
Bye-Laws
and the
Third
Schedule.

"PART XVI

STREET TRADING

"264. No person shall set up a stall or table, or display goods for sale in any open drain or open space in any of the following streets :—

IDDO ISLAND

Denton Causeway Iddo Road

IKOYI ISLAND

All Streets in Ikoyi

LAGOS ISLAND

Asani Lane	John Street
Agoro Street	Johnson Street
Atiko Street	Kakawa Street
Balogun Street	Koilo Street
Beccroft Street	Marina from Five Cowrie Bridge in a north-westerly direction to Niger House.
Bishop Street	Martins Street
Broad Street	Massey Street
Brown Street	Moloney Bridge Street
Custom Street	Moloney Street
Davies Street	Munday Lane
Dumaresque Street	Okoya Street
Ebute Ero Street	Olowu Street
Epe Street	Olushi Street
Force Road	Oroyinyin Street
Freeman Street	Osho Street
Gambari Street	Porto Novo Market Street
Hawley Street	Princess Street
Ibomo Street	Race Course Road
Idewu Street	Simpson Street
Idumagbo Street	Tapa Street
Igbosere Road	Tinubu Square
Igunnu Street	Victoria Street
Ikoyi Road	
Ipaye Street	
Isalegangan Street	

MAINLAND

All Streets in the Apapa Reservation	Clifford Street
All Streets in the Yaba Estate	Denton Bridge Street
Apapa Road	Denton Street.

Penalty.—A fine of ten shillings for the offence and a further ten shillings for every day or part of a day on which the offence continues.”

MADE by the Lagos Town Council this 8th day of February, 1954.

D. M. O. AKINBIYI,
Acting Town Clerk

APPROVED by the Regional Authority this 5th day of April, 1954.

THOMAS N. ROSSER,
*Clerk to the Executive Council,
Western Region*

16350/8

W.R.L.N. 59 of 1954*ORDER made under THE DOGS ORDINANCE (Cap. 56)*

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Sapele Township) Declaration and Prohibition Order, 1954.
2. The Sapele Township of the Delta Province is hereby declared to be a diseased area.
3. The removal of dogs from the diseased area to any other area or from any other area into the diseased area is hereby prohibited.
4. The authority for the area declared by this order to be diseased area is hereby directed to make rules for all the matters referred to in section 15 of the Dogs Ordinance.

MADE at Warri this 31st day of March, 1954.

R. J. M. CURWEN,
Resident, Delta Province

1415

W.R.L.N. 60 of 1954*ORDER made under THE DOGS ORDINANCE (Cap. 56)*

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to Residents in charge of Provinces, the following Order is hereby made :—

1. This Order may be cited as Rabies (Akure) Declaration and Prohibition Order No. 1, 1954.
2. The area in the Akure District of the Ondo Province comprised within a circle having a radius of 3 miles with the Akure Native Court (Erekesan) 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 Akure Native Authority is hereby directed to make rules for all matters referred to in section 15 of the Dogs Ordinance.

MADE at Akure this 13th day of April, 1954.

T. B. BOVELL-JONES,
Resident Ondo Province

1415



W.R.L.N. 61 of 1954

ORDER made under THE FORESTRY ORDINANCE
(Cap. 75)AVIELE CLAN NATIVE AUTHORITY FOREST RESERVE
(AVIELE FOREST) (AMENDMENT) ORDER, 1954

In exercise of the powers conferred upon native authorities by sections 29 and 26 of the Forestry Ordinance it is hereby ordered by the Aviele Native Authority with the concurrence of the Etsako Federal Native Authority to which it is subordinate and with the approval of the Lieutenant-Governor, Western Region, in respect of section 29 and Resident, Benin Province, in respect of section 26, to whom power of approval has been delegated, as follows :—

1. This Order may be cited as the Aviele Clan Native Authority Forest Reserve (Aviele Forest) (Amendment) Order, 1954.

2. Native Authority Public Notice No. 23 of 1943 is hereby amended by deleting the First and Second Schedules thereto and substituting therefor the following :—

FIRST SCHEDULE

All that piece of land containing twenty-four decimal eight square miles or thereabouts situated in the southern part of the Kukuruku Division of the Benin Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are $6^{\circ}13' N : 6^{\circ}57' E$ on the right hand side of the 1951 road from Warrake (Iwareki on Nigeria Survey Map 1/500,000 sheet 10 of 1949) to Agbede a distance of approximately 302 feet measured north-westward along the right hand side of the 1951 road from Warrake to Agbede from the point where it is crossed by the left bank of the Okoluvio stream and marked by Beacon No. 1, by the right hand side of the 1951 road from Warrake to Agbede for a distance of 2 miles 2,970 feet in a general south-easterly direction to Beacon No. 2 situated opposite the point where the left hand side of the 1951 road from Warrake to Agbede is joined by the right hand side of the 1951 road from Auchi to Agbede ; thence continuing by the right hand side of the 1951 road from Warrake to Agbede in a general south-easterly then southerly direction for a distance of 2 miles 3,498 feet to Beacon No. 3 situated at Milestone No. 62 on the right hand side of the 1951 road from Warrake to Agbede ; thence by a straight line cut on a bearing of 280 degrees for a distance of 1,423 feet to Beacon No. 4 ; thence by a straight line cut on a bearing of 191 degrees for a distance of 2,765 feet to Beacon No. 5 situated on the left bank of the Edion River ; thence by the left bank of the Edion River downstream in a general easterly direction for a distance of about 2,104 feet to Beacon No. 6 situated on the left bank of the Edion River where it is crossed by the right hand side of the 1951 road from Warrake to Agbede ; thence crossing the Edion River on a bearing of 168 degrees 30 minutes for a distance of 102 feet to Beacon No. 7 situated on the right bank of the Edion River where it is crossed by the right hand side of the 1951 road from Warrake to Agbede ; thence by the right hand side of the 1951 road from Warrake to Agbede in general southerly direction for a distance of 477 feet to Beacon No. 8 ; thence by a straight line cut on a bearing of 249 degrees 30 minutes for a distance of 203 feet to Beacon No. 9 ; thence by a straight line cut on a bearing of 154 degrees 30 minutes for a distance of 312 feet to Beacon No. 10 ; thence by a straight line cut on a bearing of 61 degrees 30 minutes for a distance of 158 feet to Beacon No. 11 situated on the right hand side of the 1951 road from Warrake to Agbede ; thence by the right hand side of the 1951 road from Warrake to Agbede in a general south-easterly then southerly direction for a distance of 1 mile

1,716 feet to Beacon No. 12 situated at Milestone No. 60 on the right hand side of the 1951 motor road from Warrake to Agbede ; thence by a straight line cut on a bearing of 295 degrees for a distance of 1,838 feet to a beacon situated on the right bank of the Edigebose stream ; thence crossing the Edigebose stream on a bearing of 295 degrees for a distance of 13 feet to Beacon No. 13 situated on the left bank of the Edigebose stream ; thence by the left bank of the Edigebose stream upstream in a general southerly direction for a distance of about 2,451 feet to Beacon No. 14 ; thence by a straight line cut on a bearing of 283 degrees for a distance of 341 feet to Beacon No. 15 ; thence by a straight line cut on a bearing of 213 degrees for a distance of 1,084 feet to Beacon No. 16 ; thence by a straight line cut on a bearing of 117 degrees for a distance of 273 feet to Beacon No. 17 situated on the left bank of the Edigebose stream ; thence by the left bank of the Edigebose stream upstream in a general southerly direction for a distance of about 2,358 feet to Beacon No. 18 situated on the left bank of the Edigebose stream ; thence by a straight line cut on a bearing of 288 degrees for a distance of 2,468 feet to Beacon No. 19 ; thence by a straight line cut on a bearing of 187 degrees for a distance of 1 mile 132 feet to Beacon No. 20 ; thence by a straight line cut on a bearing of 256 degrees for a distance of 2,310 feet to Beacon No. 21 situated on the right bank of the Osuoru Stream where it is crossed by the right hand side of the 1951 path from Agbede to Iyoko old site ; thence crossing the Osuoru Stream by a straight line on a bearing of 339 degrees for a distance of 55 feet to Beacon No. 22 situated on the left bank of the Osuoru Stream ; thence by the left bank of the Osuoru Stream upstream in a general southerly direction for a distance of about 3,842 feet to Beacon No. 23 situated on the left bank of the Osuoru stream ; thence by a straight line cut on a bearing of 178 degrees for a distance of 891 feet to Beacon No. 24 ; thence by a straight line cut on a bearing of 186 degrees 30 minutes for a distance of 505 feet to Beacon No. 25 ; thence by a straight line cut on a bearing of 115 degrees for a distance of 66 feet to Beacon No. 26 situated on the left bank of the Osuoru Stream ; thence by the left bank of the Osuoru Stream upstream in a general southerly direction for a distance of 1,255 feet to Beacon No. 27 situated on the left bank of the Osuoru Stream ; thence by a straight line cut on a bearing of 294 degrees for a distance of 202 feet to Beacon No. 28 ; thence by a straight line cut on a bearing of 160 degrees 30 minutes for a distance of 284 feet to Beacon No. 29 situated on the left bank of the Osuoru Stream ; thence by the left bank of the Osuoru Stream upstream in a general southerly direction for a distance of 745 feet to Beacon No. 30 situated on the left bank of the Osuoru Stream where it is crossed by the right hand side of the 1951 farm path from Agbede to Iyakwaza farms ; thence by the right hand side of the 1951 path from Agbede to Iyakwaza farms by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
252 degrees 30 minutes	577 feet
350 "	890 "
318 "	1,144 "
319 "	1,067 "
328 " 30 minutes	696 "
306 "	1,330 "
308 " 30 minutes	783 "
305 "	609 "
299 "	626 "
284 "	550 "
288 "	411 "

to Beacon No 31 situated on the right hand side of the 1951 path from Agbede to Iyakwaza farms ; thence by a straight line cut on a bearing of 45 degrees 30 minutes for a distance of 238 feet to Beacon No. 32 ; thence by a straight line cut on a bearing of 306 degrees for a distance of 260 feet to a beacon situated on the right bank of the Agarekpe Stream ; thence crossing the Agarekpe Stream by a straight line on a bearing of 306

degrees for a distance of 24 feet to Beacon No. 33 situated on the left bank of the Agarekpe Stream; thence by the left bank of the Agarekpe Stream upstream in a general southerly direction for a distance of 224 feet to Beacon No. 34 situated on the left bank of the Agarekpe Stream where it is crossed by the right hand side of the 1951 path from Agbede to Iyakwaza farms; thence by the right hand side of the 1951 path from Agbede to Iyakwaza farms by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
309 degrees	218 feet
311 " "	591 " "
293 " 30 minutes	500 " "
318 " "	587 " "
324 " 30 minutes	1,206 " "
321 " 30 minutes	485 " "

to Beacon No. 35 situated on the right hand side of the 1951 path from Agbede to Iyakwaza farms; thence by a straight line cut on a bearing of 181 degrees 30 minutes for a distance of 2,534 feet to Beacon No. 36; thence by a straight line cut on a bearing of 160 degrees for a distance of 3,918 feet to Beacon No. 37 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri; thence by the right hand side of the 1951 proposed road from Agbede to Isioriri in a general north-westerly direction for a distance of 450 feet to Beacon No. 38 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri; thence by a straight line cut on a bearing of 326 degrees for a distance of 377 feet to Beacon No. 39; thence by a straight line cut on a bearing of 324 degrees for a distance of 1,461 feet to Beacon No. 40; thence by a straight line cut on a bearing of 235 degrees for a distance of 760 feet to a beacon situated on the right bank of the Omobo stream; thence crossing the Omobo stream by a straight line on a bearing of 235 degrees for a distance of 36 feet to Beacon No. 41 situated on the left bank of the Omobo stream; thence by the left bank of the Omobo stream upstream in a general south-easterly direction for a distance of 1,320 feet to Beacon No. 42 situated on the left bank of the Omobo stream; thence by a straight line cut on a bearing of 191 degrees 30 minutes for a distance of 195 feet to Beacon No. 43 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri; thence by the right hand side of the 1951 proposed road from Agbede to Isioriri by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
293 degrees	462 feet
281 degrees	627 feet
285 degrees	754 feet

to Beacon No. 44 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri; thence by a straight line cut on bearing of 36 degrees 30 minutes for a distance of 224 feet to Beacon No. 45; thence by a straight line cut on a bearing of 281 degrees for a distance of 551 feet to Beacon No. 46 situated on the right bank of the Ikpojoro stream; thence by the right bank of the Ikpojoro stream downstream in a general northerly direction for a distance of 210 feet to Beacon No. 47 situated on the right bank of the Ikpojoro stream; thence crossing the Ikpojoro stream by a straight line on a bearing of 280 degrees for a distance of 12 feet to a beacon on the left bank of the Ikpojoro stream; thence by a straight line cut on a bearing of 280 degrees for a distance of 80 feet to Beacon No. 48; thence by a straight line cut on a bearing of 213 degrees for a distance of 363 feet to Beacon No. 49 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri; thence by the right hand side of the 1951 proposed road from Agbede to Isioriri by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
287 degrees	508 feet
275 degrees	955 feet
268 degrees 30 minutes	1,048 feet

to Beacon No. 50 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri ; thence by a straight line cut on a bearing of 321 degrees for a distance of 1,260 feet to Beacon No. 51 ; thence by a straight line cut on a bearing of 191 degrees for a distance of 312 feet to a beacon on the right bank of the Ofuator Stream ; thence across the Ofuator stream on a bearing of 191 degrees for a distance of 18 feet to a beacon on the left bank of the Ofuator stream ; thence continuing by a straight line cut on a bearing of 191 degrees for a distance of 1,120 feet to Beacon No. 52 situated on the right hand side of the 1951 proposed road from Agbede to Isioriri ; thence by the right hand side of the 1951 proposed road from Agbede to Isioriri by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
228 degrees	416 feet
246 "	825 "
250 "	792 "
251 " 30 minutes	873 "
261 "	1,333 "
272 "	452 "
261 "	686 "
275 "	1,346 "
265 "	537 "
262 " 30 minutes	548 "
287 " 30 "	500 "
280 " 30 "	513 "
279 " 30 "	585 "
277 "	881 "
269 " 30 minutes	518 "
259 "	632 "
251 "	147 "

to Beacon No. 53 situated on the Aviele-Ivi-Ada-Obi Clan Boundary ; thence by the Aviele-Ivi-Ada-Obi Clan Boundary in a general north-easterly direction to Beacon No. 54 situated on the right bank of the Edion River ; thence across the Edion River by a straight line on a bearing of 36 degrees 45 minutes for a distance of 130 feet to Beacon No. 55 situated on the left bank of the Edion River ; thence by a straight line cut on a bearing of 36 degrees 45 minutes for a distance of 1,399 feet to Beacon No. 56 situated at the foot of a marked Sassa wood tree ; thence by a straight line cut on a bearing of 30 minutes for a distance of 2 miles 3,153 feet to the starting point, excepting that area of land within the boundary described above the situation and limits of which are as follows :—

All that piece of land containing eighty-eight decimal seven acres or thereabouts situated in the central part of the Reserve immediately surrounding farmland belonging to the descendants of the former inhabitants of Iyoko quarter and bounded as follows :—

Starting from a point on the left hand side of the 1951 path from Agbede to Iyoko farmland at a distance of 1 mile 3,842 feet measured in a general northerly direction along the left hand side of the 1951 path from Agbede to Iyoko farmland from Beacon No. 22 and marked by Beacon No. 57, by a straight line cut on a bearing of 295 degrees 30 minutes for a distance of 660 feet to Beacon No. 58 ; thence by a straight line cut on a bearing of 27 degrees for a distance of 1,581 feet to Beacon No. 59 ; thence by a straight line cut on a bearing of 3 degrees 30 minutes for a distance of 1,461 feet to Beacon No. 60 ; thence by a straight line cut on a bearing of 81 degrees for a distance of 1,084 feet to

Beacon No. 61; thence by a straight line cut on a bearing of 182 degrees for a distance of 1,422 feet to Beacon No. 62; thence by a straight line cut on a bearing of 190 degrees 30 minutes for a distance of 1,703 feet to Beacon No. 63; thence by a straight line cut on a bearing of 260 degrees for a distance of 896 feet to the starting point.

All distances 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 months of September, October and November, 1951.

All beacons are cement pillars.

SECOND SCHEDULE

RIGHTS WITHIN THE RESERVE

1. To the members of the Aviele Clan the right :—

- (i) To hunt and fish
- (ii) To collect the produce of the Oil Palm (*Elaeis guineensis*) and the wine palm (*Raphia vinifera*)
- (iii) To collect tie tie
- (iv) To collect roofing leaves and roofing grass
- (v) To collect canes (*Ika*)
- (vi) To take bamboos for domestic purposes.
- (vii) To take building poles for domestic purposes but not for sale or barter from trees of the following species :—

<i>Botanical Name</i>	<i>Vernacular Name</i>
<i>Trema guineensis</i>	Urere
<i>Randia acuminata</i>	Asumi
<i>Macaranga barteri</i>	Akagwa
<i>Harungana madagascariensis</i>	Obhalobha
<i>Musanga cecropioides</i>	Ozeghe
<i>Terminalia glaucescens</i>	Ulubi
<i>Spondias monbin</i>	Ogege
<i>Ricinodendron africanum</i>	Okhue
<i>Kigelia africana</i>	Oban
<i>Euphorbia sp.</i>	Ola
<i>Cola cordifolia</i>	Uvolami
<i>Oxytenanthera abyssinica</i>	Ikpitakpa
<i>Pterygota macrocarpa</i>	Uhhobho
<i>Maesopsis eminii</i>	Obiogie

Provided that such trees do not exceed two feet in girth.

(viii) To collect the fruits of the following trees whether wild or cultivated, Kola, Ogi or Owi (*Iringia barterii*), Otien (*Chrysophyllum africana*), Ogege (*Spondias monbin*), Abie (*Randia sp.*), Uda (*Canarium schweinfurthii*), Ugbanakwa (*Pentaclethra macrophylla*), Ugba (*Parkia oliveri* syn. *filicoidea*) and Olomi (*Pachylobus edulis*).

2. Rights of way :—

To the general public :—

The portion within the Reserve of

The 1951 path from Agbede to Iyakhalo (Warrake)

The 1951 path from Agbede to Iyoko old site.

3. To Aruna Idogefie the right to retain, tend and collect the produce of, but not to extend, his plot of 13 Hevea braziliensis (para-rubber) in an area near the Ikpojoro stream to the north of the 1951 proposed road from Agbede to Isioriri.

MADE this 3rd day of November, 1953.

OBA MOMODU II
ADAMU (*Dawudu*) His X Mark
HAJI MOMO (*Dania*)—His X Mark
M. YESUFU (*Kaisaraki*)
for *Aviele Native Authority*

Signified in accordance with the Aviele Native Authority Standing Rules, 1943.

MADE this 3rd day of November, 1953.

Witness to Marks
In the presence of

A. B. INGLEDOW,
District Officer,
Kukuruku Division

Concurred this 7th day of November, 1953.

CHIEF M. MOMOH (*Otaru of Auchi*)
CHIEF KANOBA—*Igiegbai of Ekperi*
CHIEF KADIRI—*Ogieneni of Uzairue*
CHIEF INUSA M. J. UOMORU—*Aidenojie of S. Ibie*
for *Etsako Federal Native Authority*

Signified in accordance with the Etsako Federal Native Authority Federal Council Standing Rules, 1951.

APPROVED this 24th day of November, 1953.

H. L. M. BUTCHER,
Resident, Benin Province

APPROVED this 23rd day of April 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

W.P.122/16

W.R.L.N. 62 of 1954

RULES made under THE DOGS ORDINANCE (Cap. 56)

In exercise of the powers conferred upon a native authority by section 15 of the Dogs Ordinance, Cap. 56, and with the approval of the Resident, Ibadan Province, the following Rules are hereby made :—

1. These Rules may be cited as the Ogbomosho District Native Authority (Rabies) (Revocation) Rules, 1954, and shall come into operation on 31st March, 1954.

2. The Ogbomosho District Native Authority (Rabies) Rules, 1953, published in *Western Region of Nigeria Gazette* No. 50 of 31st of December, 1953, under Public Notice No. 172, are hereby revoked.

MADE this 27th day of March, 1954.

OLATUNJI—*Shoun of Ogbomosho,*
President

J. O. ADIGUN, M.H.A.,
Chairman

ADEGUN ADENIRAN,
Council Clerk

Signified in accordance with the Ogbomosho District Native Authority Standing Rules dated the 1st day of February, 1954.

APPROVED this 7th day of April, 1954.

N. E. WHITING,
Acting Resident, Ibadan Province

W.R.L.N. 63 of 1954

ORDER made under THE DOGS ORDINANCE
(Cap. 56)

In exercise of the powers conferred upon the Ila District Native Authority by section 11 of the Dogs Ordinance (Cap. 56) and with the approval of the Lieutenant-Governor, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Ila District Native Authority (Dog Licences) Order, 1954, and shall be deemed to have come into force on the 1st day of April, 1954.

2. The licence fee payable in respect of each dog in the area specified in the second column of the Schedule hereto shall be that set out in the third column.

SCHEDULE

Province	Area	Licence fee
OYO	The area comprised within a circle having a radius of 2 miles with Afin Ila as centre.	1s 6d

MADE this 10th day of March, 1954.

ADEBAPO AGBOLUJAJE II,
Orangun of Ila

CHIEF J. OTITOOLA—*Obala Ila,*
Council's Representative

S. A. ADEDAYO,
Senior Councillor, Ila Native Authority

Witness to mark and Signatures :—

D. B. STANLEY-ADENIYI,
Native Authority Clerk,
Ila Native Authority

Signified in accordance with the Ila District Native Authority Standing Rules dated the 8th day of September, 1949.

APPROVED this 3rd day of May, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

16770/5

W.R.L.N. 64 of 1954

RULES made under THE PUBLIC HEALTH ORDINANCE
(Cap. 183)THE AKURE DISTRICT NATIVE AUTHORITY (SLAUGHTER)
(AMENDMENT) RULES, 1954

In exercise of the powers conferred upon native authorities by section 41 of the Public Health Ordinance and by the Public Health (Native Authorities Enabling) Order in Council, 1940, the following Rules have been made by the Akure District Native Authority with the approval of the Lieutenant-Governor.

1. These Rules may be cited as the Akure District Native Authority (Slaughter) (Amendment) Rules, 1954, and shall apply to all persons subject to the jurisdiction of the Akure District Native Authority whilst within the area of its jurisdiction.

2. The Akure District Native Authority (Slaughter) Rules, 1953, are hereby amended by the inclusion of the following paragraphs :—

“8. (5) Every butcher selling meat in the market shall keep a scale and shall sell meat at a fixed price per pound.

(6) All meat sold in the market shall be meat which was slaughtered on the day of the sale.”

DATED this 3rd day of March, 1954.

His
DEJI—*Akure Native Authority,* X
Deji and Council, Mark
for the Akure District Native Authority

C. ADE FALUSI,
Witness

Signified in accordance with the Akure District Native Authority Standing Rules dated 6th day of January, 1953.

APPROVED this 5th day of May, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

16337/4

W.R.L.N. 65 of 1954

The Townships Ordinance (Cap. 216)

THE WARRI TOWNSHIP (MOTOR PARK) RULES, 1954

In exercise of the powers conferred upon local authorities by section 47 of the Townships Ordinance, the following Rules have been made by the Local Authority, Warri, with the approval of the Lieutenant-Governor to whom the Governor has delegated the power of approval.

1. These Rules may be cited as the Warri Township (Motor Park) Rules, 1954, and shall apply not only to persons normally subject to the jurisdiction of the Local Authority, Warri, but also to all persons whilst within the area of Warri Township.

2. In these Rules :—

“Attendant” means a person appointed as such under the provisions of Rule 5.

“Motor Vehicle” means a mechanically propelled vehicle intended and adapted for use on roads but excludes a Motor Cycle.

“Local Authority” means the Local Authority Warri.

3. All that piece of land set out in the First Schedule hereto shall be open spaces (hereinafter referred to as Motor Parks) to be used for the purpose of parking motor vehicles.

4. (1) All persons parking a motor vehicle in a motor park shall pay the fee set out in the Second Schedule hereto.

(2) The attendants shall collect all fees and issue a printed receipt for the same.

5. Motor parks shall be under the control and direction of attendants who shall be appointed by the Local Authority.

6. All persons parking a vehicle in a motor park shall obey the orders of the attendants in regard to such parking.

7. All vehicles shall enter by the "IN" gates and leave by the "OUT" gates.

8. Any person who is convicted of an offence against rules 4, 6 and 7 shall be liable to a fine not exceeding £2 (Two Pounds) for a first offence and to a fine not exceeding £5 (Five Pounds) for a second or subsequent offence.

9. All penalties provided by these Rules shall be imposed by a Magistrate.

FIRST SCHEDULE

1. All that piece of land situated in Warri Township in the Delta Province containing 3,097.98 square yards or thereabouts and bounded as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
P. 0	242° 54'	118.0 feet	W.3952
W.3952	359° 00'	128.9 "	W.3955
W.3955	276° 52'	188.9 "	W.3954
W.3954	—	30.0 "	W.3842
W.3842	150° 56'	214.8 "	P. 0

(The starting Point)

SECOND SCHEDULE

<i>Type of Vehicle</i>	<i>per day</i>			<i>per quarter</i>			<i>per annum</i>		
	<i>£</i>	<i>s</i>	<i>d.</i>	<i>£</i>	<i>s</i>	<i>d.</i>	<i>£</i>	<i>s</i>	<i>d.</i>
Private Cars	0	0	6	0	5	0	0	17	6
Kit Cars	0	0	6	0	7	6	1	15	0
Vehicle over half ton and under 3 tons	0	0	6	0	10	0	1	15	0
Vehicle three tons and over	0	0	9	0	12	6	2	5	0

MADE by the Local Authority, Warri, this 2nd day of April, 1954.

D. B. PARTRIDGE,
Local Authority, Warri

APPROVED this 5th day of May, 1954.

H. F. MARSHALL,
Lieutenant-Governor,
Western Region

22839

W.R.L.N. 66 of 1954

The Native Authority Ordinance (Cap. 140)

TEMPORARY APPOINTMENTS : EGUN-AWORI AREA NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 6 and 8 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) Egun-Awori Area Native Authority Notice, 1954.

2. The following persons are hereby appointed to the office of the Egun-Awori Area Native Authority for a period of six months :—

- | | |
|---------------------|--------------------------|
| (a) C. E. Iles | (h) Bale Ajido |
| (b) J. O. O. Samuel | (i) Oba Iworo |
| (c) Bale Tovituhan | (j) Bale Whedesu |
| (d) Olateju Okiyo | (k) Suberu Hunkanlin |
| (e) Bale Pota | (l) Peter Bale Karakunma |
| (f) Chief Aro | (m) A. M. Adebule |
| (g) Marcus Yovoyan | (n) Bale Akoteyan. |

3. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 7th day of May, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

27118

W.R.L.N. 67 of 1954

The Native Authority Ordinance (Cap. 140)

TEMPORARY APPOINTMENTS : AWORI AREA NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 6 and 8 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) Awori Area Native Authority Notice, 1954.

2. The following persons are hereby appointed to the office of the Awori Area Native Authority for a period of six months :—

- | | |
|-------------------|------------------------|
| (a) C. E. Iles | (g) Shitta Sunmola |
| (b) P. B. Tanyi | (h) Dauda Ogunlana |
| (c) Kojo Povi | (i) Ashafa Omo-Oba |
| (d) Oseni Martins | (j) Salawu Bello |
| (e) Bako Abu | (k) Shittu S. Bankole. |
| (f) Liadi Idowu | |

3. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 8th day of May, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

27117

W.R.L.N. 68 of 1954

BYE-LAWS made under THE LIQUOR ORDINANCE
(Cap. 114)

In exercise of the powers conferred upon native authorities by section 22 of the Liquor Ordinance, the following Bye-laws have been made by the Oyo Divisional Native Authority with the approval of the Governor :—

1. These Bye-laws may be cited as the Oyo Divisional Native Authority (Liquor Licensing) Bye-Laws, 1953, and shall apply to all natives within the area of the jurisdiction of the native authority whether such natives are ordinarily subject to the jurisdiction of a native court or not. Short title and application.

2. In these Bye-laws :

Definitions.

“The Native Authority” means :

(1) For the Southern District of Oyo Division, the Oyo Southern District Native Authority ;

(2) For the Iseyin District of Oyo Division, the Iseyin District Native Authority ;

(3) For the Okeiho and Iganna Districts of Oyo Division, the Okeiho-Iganna District Native Authority ;

(4) For the Shaki District of Oyo Division, the Shaki District Native Authority ;

(5) For the Irepo District of Oyo Division, the Irepo District Native Authority ;

“Secretary” has the same meaning as in the Oyo Divisional Native Authority Standing Rules, 1952.

3. No person shall sell intoxicating liquor to any person except under a licence authorising such sale.

Prohibition of sale of intoxicating liquor except under licence.

4. No licence, other than a temporary liquor licence, shall be issued except on a certificate granted by the Native Authority.

Authority for issue of licence.

5. The following shall be Licensing Officers for the purpose of these Bye-laws :—

Appointment of Licensing Officer.

(1) *For the Oyo Southern District.*—The Secretary of the Oyo Southern District Native Authority.

(2) *For the Iseyin District.*—The Secretary of the Iseyin District Native Authority.

(3) *For Okeiho District.*—The Secretary of the Okeiho-Iganna District Native Authority.

(4) *For Shaki District.*—The Secretary of the Shaki District Native Authority.

(5) *For Irepo District.*—The Secretary of the Irepo District Native Authority.

Licences
authorising
the sale of
liquor.

6. Licences of the several descriptions following authorising the sale of intoxicating liquor subject to the provisions of these Bye-laws, may be issued by the Licensing Officer :—

- (a) a store liquor licence ;
- (b) a tavern licence ;
- (c) a wine and beer off licence ;
- (d) a wine and beer on licence ;
- (e) a general retail liquor licence ;
- (f) A hotel liquor licence ;
- (g) a club liquor licence ;
- (h) a native club liquor licence ;
- (i) a temporary liquor licence.

Definitions
and
conditions
of licence.

7. The following conditions and provisions shall apply to the Licences enumerated in the preceding bye-laws :—

(a) a "store liquor licence" authorises the sale by retail of liquor, other than trade spirits, to be consumed elsewhere than on the licensed premises ;

(b) a "tavern licence" authorises the sale by retail of liquor, other than trade spirits, to be consumed on the licensed premises.

(c) a "wine and beer off licence" authorises the sale in quantities not exceeding two bottles to any one person during the space of twenty-four hours of wine and beer to be consumed elsewhere than on the licensed premises. The licence does not authorise the sale of wine or beer containing more than 20 per cent of pure alcohol.

(d) a "wine and beer on licence" authorises the sale by retail of wine and beer to be consumed on the licensed premises. The licence does not authorise the sale of wine or beer containing more than 20 per cent of pure alcohol.

(e) a "general retail liquor licence" authorises the sale in quantities not exceeding one gallon to any one person during the space of twenty-four hours of any liquor for consumption off the licensed premises.

(f) a "hotel liquor licence" authorises the sale of liquor, other than trade spirits by retail :—

(i) on any day and at any hour to persons sleeping on the premises to be consumed thereon ;

(ii) to persons taking meals in the hotel to be consumed therein with the meals, on Christmas Day, Good Friday, or Sunday between the hours of 11.30 a.m. and 2.30 p.m. and 6.30 p.m. and 10.30 p.m. and on any other day between hours of 8.00 a.m. and 11.30 p.m.

(g) (i) A "club liquor licence" authorises the sale of liquor, other than trade spirits, to the members of the club to be consumed on the premises.

(ii) No place of accommodation, entertainment or refreshment shall be considered a club where other than members or their invited guests are allowed entry or accommodation or where other than members are charged or permitted to pay for any refreshment or accommodation they may obtain therein.

(iii) Every club licence shall be issued to the proprietor, secretary or manager of the club ; provided that no transfer of any such licence shall be necessary upon any change of any such proprietor, secretary or manager, but the person for the time being holding any such office shall be entitled to the privilege granted by the licence and subject to the duties and obligations imposed upon the holder thereof.

(iv) The Native Authority shall not authorise the grant or renewal of a club liquor licence unless the applicant shall produce a certificate from the Resident, Oyo Province, which shall state that it has been made to appear to his satisfaction that the club mentioned therein is a bona fide club and is a proper club to be granted a licence.

(v) A copy of the rules of the club certified by the Secretary or Chairman must be deposited by the applicant with the officer from whom such certificate is requested.

(h) A "native club liquor licence" authorises the sale of wine and beer not containing more than twenty per centum of pure alcohol to the members of the club, to be consumed on the premises.

(i) (i) A "temporary liquor licence" may be issued to the holder of a licence to sell intoxicating liquor by retail and authorises the holder to sell liquor by retail at any place of recreation or public amusement or other assembly, subject to such restrictions and conditions as the Officer issuing the licence shall think proper.

(ii) A temporary liquor licence shall not be granted for any period exceeding three days.

(iii) The licence shall specify the number of days and the hours during which the sale thereunder is authorised.

8. A wine and beer off licence or a general retail liquor licence shall not authorise the sale of liquor on Christmas Day, Good Friday, or Sunday except between the hours of 12.30 p.m. and 2.00 p.m. and 5.00 p.m. and 7.00 p.m. or on any other day except after 8.00 a.m. and before 8.00 p.m.

Hours during which liquor may be sold.

9. Every licence enumerated in bye-law 6, other than a temporary liquor licence, shall expire on the 31st December in the year in which it is issued :

Licence to expire on 31st December.

Provided that when proper application for the renewal of a licence has been made, such licence shall continue in force until such time as the applicant has been notified of the decision of the Native Authority.

10. (1) All applications for new licences or for the renewal of licences which may be issued on the certificate of the Native Authority, shall be made to the Licensing Officer in the prescribed form not later than 6 weeks before the meeting of the Native Authority at which the application is to be considered :

Application to whom made.

Provided that in case any application shall not be made in due time, the Licensing Officer may, if he thinks fit, accept the same for consideration upon payment of an additional fee of five pounds.

(2) Any person who in making any such application knowingly makes any false statement with regard to the particulars required in such application shall be liable to a fine of fifty pounds and any licence issued on such application, may be cancelled by the Native Authority.

11. The Licensing Officer shall on receipt of an application :

(a) cause a copy of the application to be posted in some conspicuous place outside his office ;

(b) notify the applicant in writing and the public by a notice posted as provided in paragraph (a) of the date and place on and at which the Native Authority will enquire into the application and hear objections thereto, which date shall not be less than ten days after the posting of such notice.

Procedure on receipt of application.

12. (1) Any person residing in the district or place wherein the licence or renewal is applied for, may object to the granting or renewal of a licence.

Who may object to issue of licence.

(2) Such objection shall be made in writing to the Licensing Officer at least two days before the inquiry.

Inquiry.

13. (1) The inquiry into an application for a licence or for the renewal of a licence shall be held in public by the Native Authority provided that no applicant for or holder of a licence may be eligible to sit.

(2) Every applicant for a licence shall appear in person at the time and place appointed for the inquiry or to which the inquiry may be adjourned.

(3) Every applicant for the renewal of a licence, and persons opposing an application shall if required appear in person.

(4) Any person appearing at any inquiry, whether as an applicant or as a person opposing an application, may be required to give evidence on oath on any question affecting the application or the opposition thereto which may be thought proper.

(5) An inquiry may be adjourned from time to time as may be thought proper.

Sitting of Native Authority.

14. The Native Authority shall consider applications at least quarterly.

Discretion of Native Authority.

15. The Native Authority may after an inquiry has been held in its discretion grant or refuse to grant a certificate for a licence or renewal of a licence or, may grant a certificate, subject to any special conditions they think proper not being repugnant to these Bye-laws. Any such conditions shall be specified in the certificate and shall be embodied in the licence.

Decision of Native Authority to be notified to the Applicant through Licensing Officer.

16. (1) The decision of the Native Authority, shall be notified to the applicant and the certificate (if any) shall be retained by the Licensing Officer.

Issue of Licence.

(2) The Licensing Officer shall on the receipt of the prescribed fee issue a licence in the terms of the certificate.

Extension of existing licence when renewal refused.

17. When a certificate for the renewal of a licence shall have been refused by the Native Authority, the Native Authority may in its discretion authorise the issue of a licence to the applicant for such period as the Native Authority may think proper to enable him to dispose of the liquor then in his possession and a proportionate part of the prescribed fee for the annual licence shall be paid for every such licence.

Death of Applicant.

18. In case the applicant shall die after applying for grant or renewal of a licence and before the licence or renewal licence has been issued, the Native Authority may authorise the issue of the licence or renewal licence to the executor, administrator, or trustee as the case may be, of the estate of such applicant.

Transfer of Licence.

19. No licence issued under these Bye-laws shall be transferable except in the event of the death of the holder of a licence, in which case the Native Authority may make such order as to transfer as it thinks just.

Sign Board.

20. (1) Every holder of a licence other than a temporary licence granted under these Bye-laws shall suspend or affix and maintain over the entrance to the licensed premises a board of not less dimensions than two feet by eight inches on which shall be painted in legible characters the name of the licensee and the class of the licence of which he is the holder.

Penalty—a fine of fifty pounds.

(2) No person who is not licensed shall have any words on his premises purporting that he is licensed and no licensed person shall have any word or letter on his premises purporting that he is licensed in any other way than that in which he is duly licensed.

Penalty—a fine of fifty pounds.

21. If any person being the manager for, or the servant of, or authorised to act for, a licence-holder shall do any act or thing or be guilty of any omission which if done or omitted by the licence-holder would constitute an offence by the licence-holder both such person and the licence-holder shall be liable to the penalties prescribed by these Bye-laws for such offence, whether such act, thing, or omission was done or made with or without the knowledge or consent of the licence-holder.

In case of an offence by the servant, etc., of a licence-holder both the servant, etc., and licence-holder to be liable to the penalties prescribed.

22. The holder of a retail licence who :—

(a) permits drunkenness or any riotous or quarrelsome conduct to take place upon his premises ;

(b) sells liquor to any person already in a state of intoxication or by any means encourages or incites any such person to drink intoxicating liquor ;

(c) sells liquor to a child under fourteen years of age ;

(d) sells or supplies liquor to any soldier or police officer on duty, or knowingly harbours or suffers to remain on his premises, any such soldier or police officer unless for the purpose of keeping or restoring order or in execution of his duty ;

(e) permits the premises to be used as a brothel or the habitual resort or place of meeting of prostitutes, or allows any such person to remain on the licensed premises longer than is necessary for the consumption of any liquor purchased by her ;

(f) fails to admit or obstructs any police officer or other authorised person from entering the licensed premises in the execution of his duty or fails to produce his licence when demanded by a police officer or other authorised person ;

(g) keeps his premises open for the sale of liquor during any time when he is not authorised by his licence to sell liquor or allows any liquor to be consumed on such premises during any such time ;

(h) being the holder of a tavern licence, a wine and beer licence or a general retail liquor licence, permits gaming or any unlawful game to be played on the licensed premises, shall be liable to a fine of fifty pounds.

23. Any person who—

(a) not being the occupier or a servant or member of the family of the occupier consumes any intoxicating liquor on premises licensed for the sale of liquor by retail during the hours when the sale of liquor is prohibited ; or

(b) obtains or attempts to obtain intoxicating liquor during the hours when the sale of liquor is prohibited by falsely representing himself to be a person sleeping on the hotel premises ; or

Offences by Retail Licence-holder.

Offences by persons other than the Licence-holder.

(c) being found on licensed premises during the hours during which the sale of liquor is prohibited, refuses his name and address when demanded by a police officer, or gives a false name or address, shall be liable to a fine of five pounds for a first offence and of ten pounds for any subsequent offence.

Power to expel drunkards, etc., from licensed premises.

24. Any licensed person or his agent or servant may refuse to admit or may turn out of his licensed premises, by force if necessary, any person who is drunken, violent, quarrelsome or disorderly, and any person whose presence on his premises would subject him to a penalty under these Bye-laws; and any such person who, on being requested by such licensed person or his agent or servant or by a police officer to leave such premises refuses or fails to do so, shall be liable to a fine of five pounds and all police officers are required, on demand of such licensed person, agent or servant to expel or assist in expelling such person from such premises and may use such force as may be required for the purpose.

On conviction of a licence-holder his licence to be forfeited.

25. (1) The holder of any licence, who shall either himself or through his servant commit any breach of the conditions of his licence shall be liable to a fine not exceeding fifty pounds.

(2) Whenever a licence-holder shall be convicted of an offence under these Bye-laws, his licence shall be liable for forfeiture.

(3) Every conviction of a licence-holder under these Bye-laws shall be endorsed on his licence by the convicting Court, and the licence-holder shall produce his licence to the Court for such purpose.

(4) Any person who—

(a) shall neglect or refuse to produce his licence as required by the preceding sub-by-law; or

(b) without proper authority obliterates or alters any such endorsement as aforesaid;

shall be liable to a fine of ten pounds.

Powers of Police.

26. Every member of the Oyo Native Authority Police Force may—

(a) enter any licensed premises at any time for the purpose of detecting or preventing any breach of the provisions of these Bye-laws or of any licence issued under these Bye-laws and

(b) at any time demand the production of any licence granted under these Bye-laws.

27. The following fees shall be payable for licences :—

	£	s	d
(i) On application (other than for a temporary licence) ...	0	5	0
(ii) Store Liquor Licence	15	0	0
(iii) Tavern Licence	25	0	0
(iv) Wine and Beer Off Licence	2	10	0
(v) Wine and Beer On Licence	5	0	0
(vi) General Retail Liquor Licence	15	0	0
(vii) Hotel Liquor Licence	25	0	0
(viii) Club Liquor Licence	25	0	0
(ix) Native Club Liquor Licence	3	0	0
(x) Temporary Liquor Licence for each day, or continuous period not exceeding twelve hours on two days	1	0	0

Provided that the fee for licences (ii) to (vii) shall be five-eighths if taken for the last two quarters of the year.

28. Subject to the express provision, if any, of these Bye-laws the forms contained in the Schedule shall, with such variations as the circumstances of the particular case may require, be used in the cases to which they apply. Use of
Forms in
Schedule.

29. The Bye-laws made by the Alafin of Oyo dated the 28th of June, 1927 are hereby revoked. Revocation.

MADE by the Oyo Divisional Native Authority this 9th day of December, 1953.

ADEYEMI II,
President/Chairman,
Oyo Divisional Native Authority

A. L. JONES,
Secretary

Signed in accordance with the Oyo Divisional Native Authority Standing Rules dated the 27th day of October, 1952.

APPROVED by the Governor this 29th day of April, 1954.

A. T. WEATHERHEAD,
Acting Administrative Secretary to the Government

SCHEDULE

FORM A

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

APPLICATION FOR A LICENCE BY A PERSON WHO DOES NOT HOLD A LICENCE OF THE CLASS APPLIED FOR IN RESPECT OF THE PREMISES FOR WHICH THE LICENCE IS REQUIRED

To the Licensing Officer,

- (1) Name of Applicant
- (2) Tribe of Applicant
- (3) Age of Applicant
- (4) Address of Applicant
- (5) Class of Licence required

(6) Description and situation of premises in respect of which the applicant has previously held any licence authorising the sale of liquor which has been forfeited or revoked.

DATED this day of, 19.....

Fee—Five shillings.

.....
Signature of Applicant

FORM B

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

APPLICATION FOR THE RENEWAL OF LICENCE

To the Licensing Officer,

- (1) Name of Applicant
- (2) Class and Number of Licence held
- (3) Description and situation of the premises licensed

(4) Whether any conviction has been endorsed on the current licence since it was issued, and if so the particulars of each endorsement.

DATED this day of, 195.....

Fee—Five shillings.

.....
Signature of Applicant

FORM C

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953
**CERTIFICATE OF NATIVE AUTHORITY FOR THE GRANT OF
 RENEWAL OF LICENCE**

TO ALL PERSONS CONCERNED :

This is to certify that the application of _____
 of _____ for a _____
 licence in respect of _____ having been considered by the
 Native Authority at a meeting held on the _____ day of _____
 195____, the Native Authority have directed that the aforesaid licence may be issued
 to the said _____ in respect of the
 said premises ; subject to the following special conditions to be endorsed on the
 licence and to be observed by the licensee :—

DATED this _____ day of _____ 19 _____

Native Authority

FORM D

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953
STORE LIQUOR LICENCE

A.B. _____ of _____ is hereby
 licensed to sell by retail intoxicating liquor other than trade spirits on (description
 and situation of premises) to be consumed elsewhere than on the said premises.

This licence is issued subject to the provisions of the Oyo Divisional Native
 Authority (Liquor Licensing) Bye-laws, 1953, and to the following special
 conditions :—

- 1.
- 2.
- 3.

This licence expires on the 31st December, 19 _____

Fee—£15.

Licensing Officer

FORM E

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953
TAVERN LICENCE

_____ of _____ is hereby
 licensed to sell by retail intoxicating liquor other than trade spirits on _____
 to be consumed on the said premises.
 (description and situation of premises)

This licence is issued subject to the provisions of the Oyo Divisional Native
 Authority (Liquor Licensing) Bye-laws, 1953, and to the following conditions :—

- 1.
- 2.
- 3.

DATED this _____ day of _____, 195____

Fee—£25.

Licensing Officer

FORM F

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953
WINE AND BEER OFF LICENCE

_____ of _____ is hereby
 licensed to sell by retail wine and beer on _____ to be consumed elsewhere
 than on the said premises.

This licence does not authorise the sale of wine or beer containing more than 20 per cent alcohol, and is issued subject to the provisions of the Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953, and to the following conditions :—

DATED this..... day of..... 195.....
 Fee—£2 10s.

Licensing Officer

FORM G

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

WINE AND BEER ON LICENCE

..... of..... is hereby licensed to sell by retail wine and beer on..... to be consumed on the said premises.

This licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol, and is issued subject to the provisions of the Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953, and to the following special conditions :—

DATED this..... day of..... 195.....
 Fee—£5.

Licensing Officer

FORM H

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

GENERAL RETAIL LIQUOR LICENCE

..... of..... is hereby licensed to sell by retail intoxicating liquor on..... to be consumed elsewhere than on the said premises.

This licence is issued subject to the provisions of the Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953, and to the following special conditions :—

DATED this..... day of..... 195.....
 Fee—£15.

Licensing Officer

FORM I

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

HOTEL LIQUOR LICENCE

..... of..... is hereby authorised to sell by retail on..... (description and situation of the hotel premises) intoxicating liquor other than trade spirits :—

(a) on any day and at any hour, to persons sleeping on the said premises to be consumed thereon ;

(b) to persons taking meals on the said premises to be consumed thereon with the meals during the hours in which the sale of liquor is allowed under a tavern licence.

This licence is issued subject to the provisions of the Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953, and to the following special conditions :—

- 1.
- 2.
- 3.

DATED this..... day of..... 195.....
 Fee—£25.

Licensing Officer

FORM J

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

CLUB LIQUOR LICENCE

..... of being the
 of the Club known as
 and situated at
 is hereby authorised to sell intoxicating liquor, other than trade spirits to members
 of the said Club to be consumed on the Club premises.

This licence is issued subject to the provisions of the Oyo Divisional Native
 Authority (Liquor Licensing) Bye-laws, 1953, and to the following special
 conditions :—

- 1.
- 2.
- 3.

DATED this day of 195.....

Fee—£25 in the case of a proprietary Club.

£5 in the case of a member's Club.

.....
 Licensing Officer

FORM K

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

NATIVE CLUB LIQUOR LICENCE

A.B. of being the
 of the club known as is hereby
 authorised to sell wine and beer not containing more than twenty *per centum* of pure
 alcohol to members of the said club to be consumed on the club premises.

This licence is issued subject to the provisions of the Oyo Divisional Native
 Authority (Liquor Licensing) Bye-laws, 1953, and to the following special
 conditions :—

- 1.
- 2.
- 3.

DATED this day of 195.....

Fee—£3.

.....
 Licensing Officer

FORM L

Oyo Divisional Native Authority (Liquor Licensing) Bye-laws, 1953

TEMPORARY LIQUOR LICENCE

(1) Description holder of a (1) of being the
 licence to sell intoxicating liquor by retail is hereby
 licensed subject to the provisions of the Oyo Divisional Native Authority (Liquor
 Licensing) Bye-Laws, 1953, to sell intoxicating liquor by retail at
 between the hours of and on the following days
 (2) subject to special restrictions and conditions endorsed on

(2) Statenumber of days not exceeding three. the back hereof.

DATED this day of 195.....

Fee—£3 ; £2 ; £1 ; as the case may be.

.....
 Licensing Officer

W.R.L.N. 69 of 1954**ORDER IN COUNCIL made under THE BIRTHS, DEATHS AND BURIALS ORDINANCE (Cap. 20)**

In exercise of the powers conferred upon the Lieutenant-Governor in Council by section 36 of the Births, Deaths and Burials Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Births, Deaths and Burials (African Cemeteries Nos. 2 and 3, Benin) Order in Council, 1954.

2. The Burial Grounds described in the Schedule hereto are hereby declared to be public burial grounds for Benin City and are appropriated to the use of Africans.

SCHEDULE**(A).—NO. 2 AFRICAN CEMETERY—WEST CIRCULAR ROAD, BENIN CITY**

All that piece of land in Benin City in the Benin Division, in the Benin Province consisting of 12.85 acres, the boundaries of which are as follows :—

Starting from a point in the centre of West Circular Road at the point of its intersection with Old Siluko Road, 880 feet on the bearing of $210^{\circ} 30'$ to beacon No. 1494 ; thence for 880 feet on the bearing of $100^{\circ} 10'$ to beacon No. 1529 ; thence for 700 feet on the bearing of $190^{\circ} 10'$ to beacon No. 1541 ; thence for 800 feet on the bearing of $280^{\circ} 10'$ to beacon No. 394 ; thence for 700 feet on the bearing of $10^{\circ} 10'$ back to beacon No. 1494.

All bearings and distances are approximate and all bearings are referred to Magnetic North.

(B).—NO. 3 CEMETERY—NORTH CIRCULAR ROAD, BENIN CITY

All that piece of land situated in Benin City in the Benin Division, in the Benin Province consisting of 16.53 acres, the boundaries of which are as follows :—

Starting from a point in the centre of North Circular Road at the point of its intersection with the Boundary Road 220 feet on the bearing of 30° to beacon No. 1562 ; thence for 800 feet on the bearing of $52^{\circ} 20'$ to beacon No. 25 ; thence for 900 feet on the bearing of $142^{\circ} 20'$ to beacon No. 131 ; thence for 800 feet on the bearing of $232^{\circ} 20'$ to beacon No. 604 and thence for 900 feet on the bearing of $322^{\circ} 20'$ to beacon No. 1562.

All bearings and distances are approximate and all bearings are referred to Magnetic North.

MADE by the Lieutenant-Governor in Council this 4th day of May, 1954.

T. N. ROSSER,
Clerk of the Executive Council

26015/2

W.R.L.N. 70 of 1954***The Native Authority Ordinance (Cap. 140)*****REVOCATION AND TEMPORARY APPOINTMENTS : OTTA DISTRICT NATIVE AUTHORITY**

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 5, 8 and 10 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Revocation and Temporary Appointments) Otta District Native Authority Notice, 1954.

2. The appointment of the following Council to the office of the Native Authority shown opposite its name is hereby revoked :—

Otta District Council Otta District Native Authority

3. The following persons are hereby appointed to the office of the Otta District Native Authority for a period of six months from date of this Notice :—

The District Officer, Egba Division

Alhadji Shittu Bashorun

Chief A. A. Adalemo

Olola A. L. Safako

Suberu Mosuro, Balogun of Otta

George Akeju

Shittu Adewale

Samuel Olaniba.

4. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 12th day of May, 1954.

By His Honour's Command,

W. M. MILLIKEN,

Acting Civil Secretary, Western Region

W.R.L.N. 71 of 1954*ORDER made under THE DOGS ORDINANCE*
(Cap. 56)

In exercise of the powers conferred on the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to Residents in charge of Provinces, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Iloro Town) Declaration and Prohibition Order, 1954.
2. The area within a radius of 3 miles of Orona Hall Iloro is hereby declared to be a diseased area.
3. The entry of dogs into or removal from the diseased area is prohibited.

MADE at Abeokuta this 14th day of May, 1954.

I. F. W. SCHOFIELD,
Resident, Abeokuta Province

16770/1

W.R.L.N. 72 of 1954*ORDER made under THE DOGS ORDINANCE*
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Benin Division) Declaration and Prohibition Order, 1954.
2. The area within 10 miles radius of Igbanke 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 Native 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 the Dogs Ordinance.

MADE at Benin City, this 12th day of May, 1954.

J. R. BROMAGE,
Acting Resident, Benin Province

16770/2

W.R.L.N. 73 of 1954*The Western Region Local Government Law, 1952
(No. 1 of 1953)*APPOINTMENT OF ASSISTANT LOCAL
GOVERNMENT INSPECTORS

In exercise of the powers conferred upon the Regional Authority by section 17 of the Western Region Local Government Law, 1952, the Regional Authority has been pleased to make the following appointments :—

Assistant Local Government Inspectors, Ibadan Province.—The District Officer (1), Ibadan Division, and the Assistant District Officer, Oshun Division.

Ibadan, 19th May, 1954.

T. N. ROSSER,
Clerk to the Executive Council

24966/29

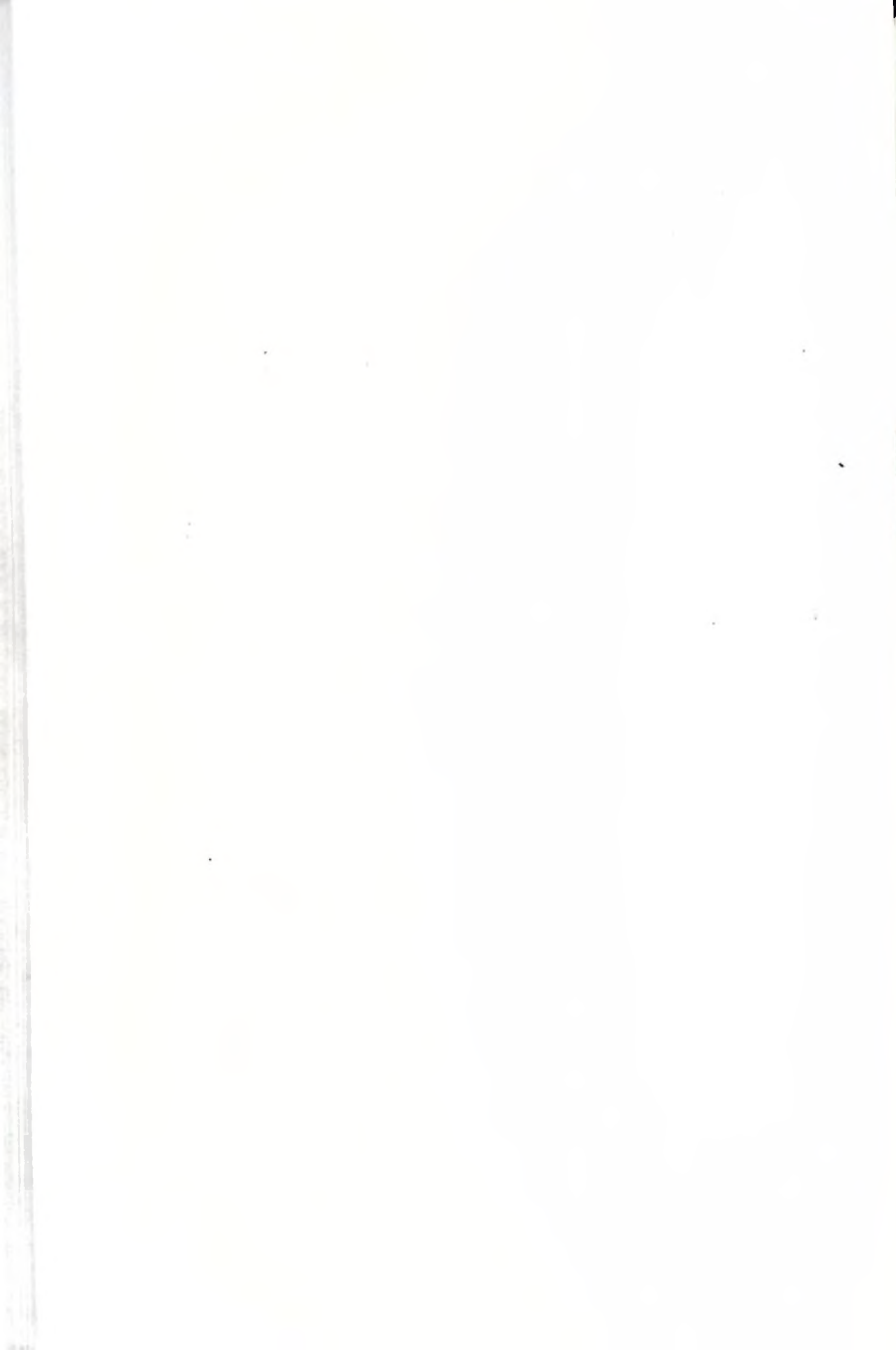
W.R.L.N. 74 of 1954*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of the powers conferred upon the Administrator of the Colony by section 16 of the Dogs Ordinance the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ikeja Division) Declaration and Prohibition Order, 1954.
2. The whole of that part of the Ikeja Division of the Colony which lies to the West of the Ogun River 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 the Dogs Ordinance.

MADE at Lagos this 12th day of May, 1954.

W. FOWLER,
Acting Administrator of the Colony



W.R.L.N. 75 of 1954**BYE-LAWS made under THE WESTERN REGION
LOCAL GOVERNMENT LAW, 1952
(No. 1 of 1953)**

In exercise of the powers conferred by section 77 of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 81 of 1953, the following Bye-laws are made by the Ode-Lemo Local Council, with the approval of the Local Government Inspector, Ijebu Province.

1. These Bye-laws may be cited as the Ode-Lemo Local Council (Market) Bye-Laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Ode-Lemo Local Council or being within the area of its jurisdiction. Short title
and applica-
tion.

2. In these Bye-laws :—

“fees” means all moneys payable to the Council under the provisions of these Bye-laws but shall not include fines or other penalties levied for contravention of these Bye-laws ;

“market” means any market set out in the Schedule hereto ;

“council” means the Ode-Lemo Local Council ;

“stall” means any erection, permanent or temporary, designed to give the occupant protection from the weather, or any construction affixed to the ground for the display of goods for sale.

3. The market shall be opened on such days as the Council shall appoint. Market days.

4. The following fees shall be payable in advance to the Market Master appointed by the Council by all persons selling or exposing for sale food or merchandise, or carrying on their trade or calling in the market, or parking their motor vehicles therein :— Fees.

(a) In respect of each Council stall occupied in the market per market day—2d.

(b) In respect of each privately built stall occupied in the market per market day —1d.

(c) In respect of each open space used as a stall per market day —1d per person trading.

(d) For parking of motor vehicles in the market for the purpose of setting down or picking up food or merchandise per motor vehicle per market day —6d.

5. A toll of 2d (two pence) for each basket of kola nuts (Aḡabgba measure) brought into the market, shall be paid to the Market Master by the owner or person in possession of the same. Toll on
kola nuts.

6. Any person who— Offences.

(a) uses any stall or store in the market for the purpose of selling any article or carrying on his trade or calling in the market and who shall not have paid the prescribed fee therefor ; or

(b) erects any stall, shed, building, wall, fence, or enclosure within the market boundary without the consent of the Council ; or

(c) allows a stall which he has hired to become insanitary or fails to keep it clean ; or

(d) exposes, for sale in the market, produce merchandise or any substance, except in a stall or place which has been set aside by the Council for the sale of such wares, shall be guilty of an offence against these Bye-laws and shall be liable in respect of each offence to a fine of five shillings or seven days imprisonment, and in the event of any continuing offence to a fine of five shillings or seven days imprisonment for every day on which the offence is committed.

Allocation of stalls.

7. On application being made to the Council a stall may be allotted to any individual for a period not exceeding three months and the fee for that stall shall be paid in advance.

Unsafe or insanitary stalls.

8. (i) If any stall not being the property of the Council is in the opinion of the Council unsafe or insanitary the Council may in writing order the owner or occupier to render it safe or sanitary. If the said owner or occupier shall fail to comply with the order within one month of the receipt of the order, the Council may cause the stall to be removed and no compensation shall be payable therefor, but the said owner or occupier shall be liable for the cost of removal of the stall.

(ii) The provisions of paragraph (i) above shall be without prejudice to any action that may be taken by the Council under paragraph (c) of bye-law 6.

Un-
authorised
erection of
stalls, etc.

9. Any person who in contravention of paragraph (b) of bye-law 6 erects any stall, shed, building, wall, fence or enclosure within the market, or within ten yards of the market boundary, shall be required to remove the erection within such reasonable time as shall be fixed by the Council. If any such person shall refuse or neglect to comply with the order of the Council he shall, in addition to any penalty he may have incurred under paragraph (b) of bye-law 6 be liable to a penalty of five shillings for each day during which the erection remains after the expiration of the order of removal given by the Council. The Council, may after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

10. All stalls shall be constructed in accordance with the requirements of the Council.

11. (i) No person, or persons or body of persons shall erect market stalls or establish a market, or operate a market save with the prior approval of the Council.

(ii) Any person or persons or body of persons who shall contravene bye-law 11 (i) shall be required to remove such stalls or discontinue the operation of such a market within such reasonable time as shall be fixed by the Council. If any person shall refuse or neglect to comply with the order of the Council he shall be liable to a fine of 5s or seven days imprisonment and to a penalty of 5s for each day during which the erection remains or the market continues after the expiration of the order of the Council. The Council, may, after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

Alteration of stalls, etc.

12. No existing stall, building, wall, fence, or enclosure shall be altered without the permission of the Council. Any person altering any such erection without the permission of the Council shall be liable to a fine of five shillings or seven days imprisonment in respect of each offence.

13. No driver of any motor vehicle shall draw up his vehicle at any place within the market except at the places appointed by the Council. Any person drawing up a motor vehicle at any other place than that appointed by the Council for the purpose shall be liable to a fine of five shillings, or in default to seven days imprisonment for each offence.

Motor
vehicles.

14. Any person other than the Market Master or any person duly appointed by the Council for this purpose, who collects or attempts to collect any fees payable to the Council shall be guilty of an offence and shall be liable to a fine of five pounds or in default to imprisonment for one month.

Un-
authorised
collection of
fees.

15. Any person who enters and remains within the confines of the market between the hours of 7 p.m. and 6 a.m. of any night immediately following any market day as appointed by the Council or the night immediately preceding any such duly appointed market day, shall be guilty of an offence and shall be liable to a fine of five shillings or in default to seven days imprisonment.

Preclusion o.
squatters.

SCHEDULE

Market place :—

Sabo Market, along Shagamu-Agbowa Road, starting from Ode-Lemo Motor Park, Ode-Lemo.

MADE by the Ode-Lemo Local Council this 2nd day of May, 1954, the common seal of the Ode-Lemo Local Council being here affixed.

In the presence of—

E. O. SONEYE

J. A. ODUSOLU

APPROVED by me this 17th day of May, 1954.

A. J. PHILLIPS,

Local Government Inspector

27733/2

W.R.L.N. 76 of 1954

The Native Authority Ordinance (Cap. 140)

DISSOLUTION AND TEMPORARY APPOINTMENTS OF NATIVE AUTHORITIES: ISHAN DIVISIONAL NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 5, 8 and 10 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Dissolution and Temporary Appointments) (Ishan Divisional Native Authority) Notice, 1954.

2. The Ishan Divisional Council as constituted at the date of this Notice shall as from the date of this Notice cease to be appointed to the office of Ishan Divisional Native Authority.

3. The following Provisional Council is hereby appointed to the office of the Ishan Divisional Native Authority for a period of six months from the date of this Notice :—

Chief Okakulo of Irrua

Mr E. Eriakha

Mr C. O. Egboigbe

Mr Stephen Ogbijile

Mr B. Udoh

Chief Ehidiame, the Onogie of Okwessan
Mr T. Oriakhili
Mr J. Omigie
The Onogie of Amahor
Mr Joseph Odigie, M.H.A.
Onosegbe, the Onogie of Ewohimi, M.H.C.
The Onogie of Igueben
Obade N'Ojie, the Onogie of Ugbegun
Dame Oboh
Mr P. Okosun
Chief Isesele, the Onogie of Ewu
Chief Usifo, the Onogie of Ekpon, M.H.C.
Mr A. Enahoro, M.H.R.

4. The quorum shall be six members.

5. The Provisional Council shall elect its own Chairman at its first meeting, which shall be summoned by the Secretary, after consultation with not less than nine of the members, not later than the 31st day of July, 1954.

6. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 21st day of June, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

W.R.L.N. 77 of 1954*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ijebu Division) Declaration and Prohibition Order, 1954.

2. The areas which lie within Ijebu Ode Town and the third class township of Ijebu-Ode are hereby declared to be diseased areas.

3. The removal of dogs from the diseased area to any other area or from any other area into the diseased 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 the Dogs Ordinance.

MADE at Ijebu Ode this 8th day of June, 1954.

A. J. PHILLIPS,
Acting Resident, Ijebu Province

1415

W.R.L.N. 78 of 1954*THE NATIVE AUTHORITY ORDINANCE
(Cap. 140)*VARIATION AND TEMPORARY APPOINTMENTS :
IKEJA AREA NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 5, 8 and 10 of the Native Authority Ordinance (Cap. 140) the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Variation and Temporary Appointments) (Ikeja Area Native Authority) (Amendment) Notice, 1954.

2. The term of office of the following members appointed by Western Region Legal Notice No. 4 of 1954 to the office of the Ikeja Area Native Authority is hereby extended until the 31st of December, 1954 :—

Chief Tade Bada
Mr Y. B. Salau
Mr R. O. Sunmonu

Mr J. Fajinmi
Mr A. O. Ogunlana
Mr F. O. O. Okuntola

3. The following persons are hereby appointed to the office of the Ikeja Area Native Authority in addition to the aforesaid members :—

Chief J. I. Ogunji
Chief J. T. Ogun
Alhaji S. O. Gbadamosi, M.H.A.
Mr E. O. Fawole
Mr I. O. Williams
Mr J. S. Odetola

Mr J. A. Akerele
Mr S. A. Ajakaiye
Mr A. K. Abas
Mr John Fatusi
Mr J. O. Kokurno

and shall remain in office until the 31st of December, 1954.

4. With effect from the 7th of July, 1954, the Chairman of the Ikeja Area Native Authority shall be Alhaji S. O. Gbadamosi, M.H.A.

5. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 23rd day of June, 1954.

By His Honour's Command,

W. M. MILLIKEN,

Acting Civil Secretary, Western Region

27806

W.R.L.N. 79 of 1954

APPOINTMENTS under THE DOGS ORDINANCE
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor by section 2 of the Dogs Ordinance, the following authorities have been appointed in respect of the areas set out below :—

<i>Area</i>	<i>Authority</i>
All areas in the Western Region to which the Native Authority Ordinance (Cap. 140) applies.	The Native Authority for each area.
All areas in the Western Region to which the Western Region Local Government Law, 1952, applies or shall hereafter apply.	The District Council, or if no District Council has been established then the Divisional Council, for each area.

2. The appointments made by Government Notice No. 1157 of 1943 are hereby revoked.

MADE this 24th day of June, 1954.

By His Honour's Command,

W. M. MILLIKEN,

Acting Civil Secretary, Western Region

16770

W.R.L.N. 80 of 1954*ORDER made under THE DOGS ORDINANCE*
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Asaba Town) Declaration and Prohibition Order, 1954.
2. The area consisting of the whole of Asaba Town in Asaba 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.

MADE at Benin City this 21st day of June, 1954.

1415

J. R. BROMAGE,
Acting Resident, Benin Province

W.R.L.N. 81 of 1954*ORDER made under THE DOGS ORDINANCE (Cap. 56)*
(Section 16)

In exercise of the powers conferred upon the Administrator of the Colony by section 16 of the Dogs Ordinance (Cap. 56), the following Order is hereby made :—

1. This Order may be cited as the Rabies (Lagos) Declaration and Prohibition Order, 1954.
2. The town of Lagos is hereby declared to be a diseased area.
3. The removal of dogs to and from the town is hereby prohibited.
4. The authority for the town of Lagos is hereby directed to make rules for all matters referred to in section 16 (f) of the Dogs Ordinance.

MADE this 24th day of June, 1954.

1415

W. FOWLER,
Acting Administrator of the Colony

W.R.L.N. 82 of 1954*ORDER made under THE DOGS ORDINANCE*
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Akure) Declaration and Prohibition (Revocation) Order, 1954.
2. The Rabies (Akure) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Akure this 25th day of June, 1954.

1415

T. B. BOVELL-JONES,
Resident, Ondo Province

W.R.L.N. 83 of 1954

ORDER made under THE DOGS ORDINANCE
(Cap. 56)

In exercise of the powers conferred upon the Lieutenant-Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ado-Ekiti and District) Declaration and Prohibition (Revocation) Order, 1954.

2. The Rabies (Ado-Ekiti and District) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Akure this 25th day of June, 1954.

1415

T. B. BOVELL-JONES,
Resident, Ondo Province

W.R.L.N. 84 of 1954

RULES made under THE PUBLIC HEALTH ORDINANCE
(Cap. 183)

In exercise of the powers conferred upon native authorities by section 41 of the Public Health Ordinance and by the Public Health (Native Authorities Enabling) Order in Council, 1940, the following Rules have been made by Ado District Native Authority with the concurrence of the Ekiti Divisional Native Authority to which it is subordinate and with the approval of the Lieutenant-Governor.

1. These Rules may be cited as the Ado District Native Authority (Slaughter) Rules, 1953, and shall apply to all persons subject to the jurisdiction of the Ado District Native Authority whilst within the area of its jurisdiction.

2. In these Rules :—

“Native Authority” means the Ado District Native Authority ;

“Health Officer” means a Medical Officer of Health, a Sanitary Inspector or other person acting under the authority, whether general or special, of the Medical Officer of Health, and whether such Sanitary Inspector or other person is serving in the Medical or Sanitary Departments of the Governments or is in the service of a local authority or Native Authority ;

“public slaughter-house” means a slaughter house established by the Native Authority for the slaughter of animals intended for sale for the food of man and includes a public slaughter slab ;

“slaughter” with its grammatical variations and cognate expressions means the killing of animals intended for sale for the food of man ;

“butcher's stall” means one of the places set aside for the sale of animals slaughtered and approved by the Native Authority ;

“counter scale” means a weighing instrument with weights in stones, pounds, and ounces approved by the Native Authority ;

3. The slaughtering of animals shall be by the method or methods prescribed by the Health Officer.

4. No animal shall be slaughtered except in a public slaughter-house.

5. (1) No person shall slaughter except he shall first obtain a permit to slaughter the animal or animals mentioned therein from a person duly authorised in that behalf by the Native Authority.

(2) Such permit shall be issued upon the following conditions :—

(a) That the animal or animals have been inspected by a person duly authorised in that behalf by the Native Authority upon the advice of the Medical Officer of Health and passed by such person as fit for slaughter.

(b) That the fees prescribed in the Schedule to these Rules have been paid in respect of the animal or animals to be specified in the permit.

6. (1) No person shall remove the meat of any animal slaughtered in a public slaughter-house until such meat has been inspected by a person duly authorised in that behalf by the Native Authority upon the advice of the Medical Officer of Health and passed by such person as fit for human food.

(2) Any meat which a person so authorised considers unfit for human consumption shall be destroyed in such manner as the Native Authority, upon the advice of the Health Officer, shall direct.

(3) The method of dissecting and laying out the carcase for inspection shall be as advised by the Health Officer.

(4) After the carcase has been quartered, no further cutting, boning or trimming shall take place in the slaughter-house.

7. For the purpose of these Rules a public slaughter-house shall only be opened from 5 a.m. to 9 a.m.

8. (1) No butcher shall have more than four assistants helping him in a public slaughter-house for any one bovine or pig or more than one assistant for any sheep or goat.

(2) No unauthorised person shall be allowed in a public slaughter-house. Authorisation shall be given by the Native Authority on the advice of the Health Officer and may be withdrawn at any time.

(3) Each butcher shall see that the utensils used by him and his assistants are kept clean and in good condition and also that the clothing and persons of himself and his staff are clean.

(4) No meat shall be removed from a public slaughter-house except in a clean receptacle.

9. Notwithstanding the provisions of rules 4 and 7, in cases of emergency the Native Authority may, on the advice of the Health Officer permit slaughter at such place and at such time as may be determined by him.

10. Any person who slaughters at a public slaughter-house shall immediately afterwards clean away and dispose of, in such manner as may be directed by the Health Officer, all blood, offal and rubbish of any description and shall thoroughly wash clean the slaughter-house.

11. If the Health Officer considers that any authorised person is an undesirable person to work at a slaughter-house by reason of his failure to co-operate in the general measures for the sanitary maintenance of the slaughter-house, he shall make representation to the Native Authority to exclude such person for as long as he thinks fit.

12. Sales of meat shall be made from butchers stalls only and shall be transacted between the hours of 6.30 a.m. and 6.30 p.m. daily.

13. Every butcher while selling shall possess and use a counter-scale and shall sell meat at a fixed price per pound.

14. Any person who fails to comply with any of the provision of rules 3, 4, 5, 6, 8, 10, 12, or 13, shall be guilty of an offence and shall be liable to a fine not exceeding 40s or to imprisonment not exceeding two weeks for the first and each subsequent offence.

15. The Ado District Native Authority Bye-Laws made under the Public Health Ordinance (Cap. 56) Native Authority Public Notice No. 18 of 1939 published in *Gazette* No. 18 of 16th March, 1939, are hereby revoked.

SCHEDULE

Cattle	5s per head
Goat, Sheep, Swine	1s 6d per head

DATED this 28th day of April, 1954.

Signified in accordance with the Ado Native Authority Standing Rules, 1943, made on the 23rd day of October, 1943.

ALADESANMI II,
President,

Ado District Native Authority

Concurred in by the Ekiti Divisional Native Authority this 7th day of May, 1954.

Signified in accordance with the Ekiti Divisional Native Authority Standing Rules, 1952, dated the 8th day of July, 1952.

The Seal of the Ekiti Divisional Native Authority was hereto affixed in the presence of:—

ARIBATISE II,
President,

Ekiti Divisional Native Authority

J. A. AROKODARE,
Secretary,

Ekiti Divisional Native Authority

This 27th day of May, 1954.

APPROVED this 29th day of June, 1954.

T. M. SHANKLAND,
Acting Lieutenant-Governor, Western Region

W.R.L.N. 85 of 1954

*BYE-LAWS made under THE WESTERN REGION
LOCAL GOVERNMENT LAW, 1952
(No. 1 of 1953)*

THE OGERE LOCAL COUNCIL (MAINTENANCE OF ORDER)
BYE-LAWS, 1954

In exercise of the powers conferred upon local government councils by sections 57 and 77 of the Western Region Local Government Law, 1952, the following Bye-laws are made by the Ogere Local Council with the approval of the Local Government Inspector, Ijebu Province, to whom powers of approval have been delegated.

1. These Bye-laws may be cited as the Ogere Local Council (Maintenance of Order) Bye-Laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Ogere Local Council. Short title.

2. In these Bye-laws :—

“Council” means the Ogere Local Council ;

“night-guard” includes such person as may be appointed by the Ogere Local Council to be a night-guard for the purpose of these Bye-laws ;

“night-guard’s hours of duty” means the period from 7 p.m. to 7 a.m. next following.

Definitions.

3. Any person who—

(a) blows a whistle during the night-guard’s hours of duty ;

(b) leaves his or her house during the night-guard’s hours of duty without carrying a lighted lamp ;

(c) fails to halt when required to do so by a night-guard ; or

(d) refuses to answer any reasonable question asked by a night-guard with a view to ascertaining that the person concerned is engaged on lawful business ;

Prohibition.

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50 (fifty pounds) or in default of payment imprisonment not exceeding six months.

MADE by the Ogere Local Council this 1st day of April, 1954, the common seal of the Ogere Local Council being hereto affixed, in the presence of

J. O. ODEBO,
Chairman, Ogere Local Council

J. A. BABS. FAULKNER,
Secretary, Ogere Local Council

APPROVED by me this 25th day of June, 1954.

A. J. PHILLIPS,
*Local Government Inspector,
Ijebu Province*

W.R.L.N. 86 of 1954

*THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952.*THE IJEBU-REMO DIVISIONAL COUNCIL (VEHICLE LICENSING)
BYE-LAWS, 1954

PART I—PRELIMINARY

In exercise of the powers conferred upon the Ijebu-Remo Divisional Council by paragraph (61) of section 71 of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 72 of 1953, the Ijebu-Remo Divisional Council hereby makes the following Bye-laws with the approval of the Permanent Secretary to the Ministry of Local Government to whom the Regional Authority's powers of approval have been delegated.

1. These Bye-Laws may be cited as the Ijebu-Remo Divisional Council (Vehicle Licensing) Bye-Laws, 1954, and shall apply not only to persons normally subject to the jurisdiction of the Ijebu-Remo Divisional Council but also to all persons whilst within its area.

2. In these Bye-Laws :—

“Council” means the Ijebu-Remo Divisional Council ;

“vehicle” means any carriage, cart, cycle, rickshaw, or other vehicle whatsoever, other than a motor vehicle.

PART II.—LICENSING OF VEHICLE

3. Any person who keeps or owns any vehicle and uses or permits the vehicle to be used within the area of the Council shall take out a licence in the form set out in the First Schedule hereto and shall pay for such licence the fee specified in the Second Schedule hereto.

4. Every applicant for a Licence shall take his vehicle to the office of the Council or such other place or places as may be appointed by the Council, and on the issue of the licence a metal or plastic plate bearing both the number of the licence and a letter denoting the class of vehicle for which such licence has been issued shall be affixed to the vehicle by or under direction of the Council.

5. Such metal or plastic plate shall be affixed in an upright position so that every letter or figure on the plate is upright and easily distinguishable, and shall ordinarily be placed in the following positions :—

(a) on bicycles, on the rear fork above the mudguard, or on the portion of mudguard projecting in front of the crown of the front fork ;

(b) on tricycles, on the rear axle ;

(c) on hand-carts, barrows, trucks and trolleys, on the pole or shaft ;

(d) on bath-chairs, rickshaws, go-carts and two-wheeled carriages, on the pole or shaft ; and in case of four-wheeled carriages, on the rear axle thereof.

6. Such metal or plastic plate shall be the property of the Council and shall not be removed from the vehicle to which it is attached until after the expiration of the licence in respect of which the plate was issued.

7. Every licence shall continue in force from the date of issue until the 31st day of December next following.

8. Any person failing to take out a licence as hereinbefore provided shall be guilty of an offence and shall be liable on conviction to a fine of one pound or in default to imprisonment for fourteen days and in addition may be ordered to pay the fee payable for such licence.

9. Any person failing to comply with the provisions of rules 5 or 6 shall be guilty of an offence and liable on conviction to a fine of one pound or in default to imprisonment for fourteen days.

10. Any fine under 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 subject to the jurisdiction of a Magistrate's court, by a Magistrate.

11. Any person who holds a valid licence in respect of a vehicle issued by any other competent licensing authority, shall not, whilst such licence is in force, be required to take out a further licence in respect of the same vehicle.

12. The Ijebu-Remo Native Authority (Vehicle Licence) Rules, 1949, are hereby revoked.

FIRST SCHEDULE
THE IJEBU-REMO DIVISIONAL COUNCIL
THE IJEBU-REMO DIVISIONAL COUNCIL (VEHICLE LICENSING)
BYE-LAWS, 1954
LICENCE

Licence is hereby granted to.....
to keep and use until the
31st of December, 19.....

Dated this..... day of....., 19.....

Ijebu-Remo Divisional Council

Number (if any) of vehicle.....

Number of plate issued.....

Fee paid.....

Signature of issuing officer.....

Rank of issuing officer.....

N.B.—This licence expires on the 31st December, 19.....

SECOND SCHEDULE

Fees to be paid under rule 3 per year or part thereof :—

	£	s	d
(a) Bicycle or tricycle and other pedalled vehicle	0	10	0
(b) Hand-cart or barrow	0	12	6
(c) Bath-chair, rickshaw or go-cart	0	12	0
(d) Two-wheeled carriage, cart or truck	1	0	0
(e) Four-wheeled carriage, cart or trolley	2	0	0
(f) For a new licence and metal or plastic plate to replace one lost or stolen	0	1	0

MADE by the Ijebu-Remo Divisional Council this 3rd day of April, 1954.

The Seal of the Council being hereunto affixed in the presence of :—

M. S. AWOLESI, ERINWOLE II,
President, Ijebu-Remo Divisional Council
ADE AIYEOLA, AFOLU II,
Chairman, Ijebu-Remo Divisional Council
A. A. ADEGBAMIGBE,
Secretary, Ijebu-Remo Divisional Council

APPROVED by me at Ibadan this 9th day of June, 1954.

D. A. MURPHY,
*Acting Permanent Secretary,
Ministry of Local Government*

W.R.L.N. 87 of 1954

**RULES made under THE NATIVE AUTHORITY ORDINANCE
(Cap. 140)**

**THE OYO DIVISIONAL NATIVE AUTHORITY
(CONTROL OF PIGS) RULES, 1954**

In exercise of the powers conferred upon native authorities by section 25 of the Native Authority Ordinance, the following Rules have been made by the Oyo Divisional Native Authority with the approval of the Lieutenant-Governor.

1. These Rules may be cited as the Oyo Divisional Native Authority (Control of Pigs) Rules, 1954, and shall apply to all persons normally subject to the jurisdiction of the Oyo Divisional Native Authority whilst within its area.

2. All pigs shall be kept in walled or fenced enclosures or safely tied and shall not be permitted on any public road or place in the towns of Oyo Division except when being moved under the control of a responsible person.

3. The Oyo Divisional Native Authority may impound in the public pound any pigs found straying in contravention of rule 2 above.

4. The Native Authority shall determine and announce publicly the situation of the pound and the designation of the person or official appointed to be the pound-master.

5. An animal may be redeemed by its owner on payment by him of a fee of one shilling for each day during which the animal is in pound.

6. Animals not redeemed within seven days will be sold, destroyed or otherwise disposed of at the discretion of the Native Authority and such sums that may accrue from the sale thereof shall be paid into the Oyo Divisional Native Authority Treasury.

MADE by the Oyo Divisional Native Authority this 29th day of April, 1954.

ADENIRAN ADEYEMI—His X Mark
Alafin of Oyo

A. L. JONES,
For the Oyo Divisional Native Authority

Signified in accordance with the Oyo Divisional Native Authority Standing Rules, 1952.

APPROVED this 5th day of July, 1954.

T. M. SHANKLAND,
Acting Lieutenant-Governor, Western Region

16759/5

W.R.L.N. 88 of 1954

**DIRECTION under SECTION 221 OF THE WESTERN
REGION LOCAL GOVERNMENT LAW, 1952
(No. 1 of 1953)**

In exercise of the powers conferred upon the Regional Authority by section 221 of the Western Region Local Government Law, 1952, which powers have been delegated to me under W.R.L.N. 14 of 1954, I hereby direct and declare that all sums of money, streets, open places, lands, buildings, waterworks, bridges, piers, ferries, vehicles, goods and all other property whatsoever, belonging to, held by, or purporting to belong to or to be held by the Ijebu Remo Divisional Native Authority have, as from the 1st of August, 1953, been assigned and transferred to, and are vested in, the Ijebu Remo Divisional Council.

OBAFEMI AWOLOLO
Minister for Local Government

2nd June, 1954.

27553

W.R.L.N. 89 of 1954

*DIRECTION under SECTION 222 OF THE WESTERN
REGION LOCAL GOVERNMENT LAW, 1952
(No. 1 of 1953)*

In exercise of the powers conferred upon the Regional Authority by section 222 of the Western Region Local Government Law, 1952, which powers have been delegated to me under W.R.L.N. 14 of 1954, I hereby direct and declare that the rights, interests, obligations and liabilities under contract or instrument of the Ijebu Remo Divisional Native Authority have, with effect from the 1st of August, 1953, been assigned to the Ijebu Remo Divisional Council and that such contract or instrument shall be as of full force and effect against or in favour of the Ijebu Remo Divisional Council, and shall be enforceable as fully and effectually, as if, instead of the Ijebu Remo Divisional Native Authority, the Ijebu Remo Divisional Council had been named therein and had been a party thereto.

OBAFEMI AWOLowo,
Minister for Local Government

27553

2nd June, 1954.



W.R.L.N. 90 of 1954*BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)*

In exercise of powers conferred by section 77 of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 78 of 1953, the following Bye-laws are made by the Offin-Shagamu Local Council with the approval of the Local Government Inspector, Ijebu Province.

1. These Bye-laws may be cited as the Offin-Shagamu Local Council (Market) Bye-laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Offin-Shagamu Local Council or being within the area of its jurisdiction. Short title and application.

2. In these Bye-laws :—

Definition.

"fees" means all moneys and tolls payable to the Council under the provisions of these Bye-laws but shall not include fines or other penalties levied for contravention of these Bye-laws ;

"market" means any market set out in the Schedule below ;

"Council" means the Offin-Shagamu Local Council ;

"stall" means any erection, permanent or temporary, designed to give the occupant protection from the weather, or any construction affixed to the ground for the display of goods for sale ;

"Market Master" means a person appointed by the Council to be Market Master for the purposes of these Bye-laws.

3. The market shall be opened on such days as the Council shall appoint. Market days.

4. The following fee shall be payable in advance to the Market Master appointed by the Council by all persons selling or exposing for sale food or merchandise, or carrying on their trade or calling in the market, or parking their motor vehicles therein :— Fees.

(a) in respect of each Council stall occupied in the market per market day—2d ;

(b) in respect of each privately built stall occupied in the market per market day—1d ;

(c) in respect of each open space used as a stall per market day—1d per person trading ;

(d) for parking of motor vehicles in the market for the purpose of setting down or picking up food or merchandise per motor vehicle per market day—6d.

5. A fee of 1d (one penny) for each basket of kolanuts brought into the market shall be paid to the Market Master by the owner or person in possession of the same. Toll on kola-nuts.

6. Any person who :—

Offences.

(a) uses any stall or store in the market for the purpose of selling any article or carrying on his trade or calling in the market and who shall not have paid the prescribed fee therefor ; or

(b) erects any stall, shed, building, wall, fence, or enclosure within the market boundary without the consent of the Council ; or

(c) allows a stall which he has hired to become insanitary or fails to keep it clean ; or

(d) exposes, for sale in the market, produce, merchandise or any substance except in a stall or place which has been set aside by the Council for the sale of such wares ; or

(e) hawks any goods within 200 yards of any market ; or

(f) places any obstruction in the alleys or passages of a market ; or

(g) deposits refuse in any place within a market other than in a receptacle provided for the purpose ; or

(h) uses or permits to be used as a dwelling any plot, stall or store erected in the market,

shall be guilty of an offence against these Bye-laws and shall be liable in respect of such offence to a fine of five shillings or in default to seven days imprisonment, and in the event of any continuing offence to a fine of five shillings or seven days imprisonment for every day on which the offence is committed.

Allocation of stalls.

7. On application being made to the Council a stall may be allocated to any individual for a period not exceeding three months and the fee for that stall shall be paid in advance.

Unsafe or insanitary stall.

8. (a) If any stall not being the property of the Council in the opinion of the Council is unsafe or insanitary the Council may in writing order the owner or occupier to render it safe or sanitary. If the said owner or occupier shall fail to comply with the order, within one month of the receipt of the order, the Council may cause the stall to be removed and no compensation shall be payable therefor, but the said owner or occupier shall be liable for the cost of removal of the stall.

(b) The provisions of paragraph (a) above shall be without prejudice to any action that may be taken by the Council under paragraph (c) of bye-law 6.

Unauthorised erection of stalls, etc.

9. Any person who in contravention of paragraph (b) of bye-law 6 erects any stall, shed, building, wall, fence or enclosure within the market, or within ten yards of the market boundary, shall be required to remove the erection within such reasonable time as shall be fixed by the Council.

If any such person shall refuse or neglect to comply with the orders of the Council, he shall, in addition to any penalty he may have incurred under paragraph (b) of bye-law 6 be liable to a penalty of five shillings for each day during which the erection remains after the expiration of the order of removal given by the Council. The Council may, after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

10. All stalls shall be constructed in accordance with the requirements of the Council.

11. (a) No person, or persons or body of persons shall erect market stalls or establish a market, or operate a market save with the prior approval of the Council.

(b) Any person or persons or body of persons who shall contravene by-law 11 (a) shall be required to remove such stalls or discontinue the operation of such a market within such reasonable time as shall be fixed by the Council. If any person shall refuse or neglect to comply with the order of the Council he shall be liable to a fine of 5s or seven days imprisonment in default and to a penalty of 5s for each day during which the erection remains or the market continues after the expiration of the order of the Council. The Council, may, after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

12. No existing stall, building, wall, fence, or enclosure shall be altered without the permission of the Council. Any person altering any such erection without the permission of the Council shall be liable to a fine of five shillings or seven days imprisonment in default in respect of each offence. Alteration of stalls, etc.

13. No driver of any motor vehicle shall draw up his vehicle at any place within the market except at the places appointed by the Council. Any person drawing up a motor vehicle at any other place than that appointed by the Council for the purpose shall be liable to a fine of five shillings, or in default to seven days imprisonment, for each offence. Motor Vehicles.

14. Any person other than the Market Master or any person duly appointed by the Council for this purpose, who collects or attempts to collect any fees payable to the Council shall be guilty of an offence and shall be liable to a fine of five pounds or in default to imprisonment for one month. Unauthorised collection of fees.

SCHEDULE

The Falawo, Ijokun, Oko, Iiagba, Batoro-Ipoji, Sonyindo, Sabo, Shotubo Konigbagbe, Gbara, Likosi, Ogijo, Falawo-Latawa, Oke-Ariko, Igbafo, Iraye, Fakale, Igboosoro, Emuren, Isokun, Ita-Odo and Imologun markets.

MADE by the Offin-Shagamu Local Council this 17th day of April, 1954, the common seal of the Council having been hereunto affixed in the presence of :—

J. O. BAMTEFA,
Secretary

ADEBAYO SOYEMI,
Chairman

APPROVED by me this 17th day of June, 1954.

A. J. PHILLIPS,
Local Government Inspector

27732/2

W.R.L.N. 91 of 1954

BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)

In exercise of the powers conferred by section 77 of the Western Region Local Government Law, 1952, and by Western Region Legal Notice No. 85 of 1953, the following Bye-laws are made by the Ogere Local Council with the approval of the Local Government Inspector, Ijebu Province, to whom powers of approval have been delegated.

Short title and application.

1. These Bye-laws may be cited as the Ogere Local Council (Registration of Marriages) Bye-laws, 1954, and shall apply to marriages contracted in the area of jurisdiction of the Ogere Local Council (hereinafter referred to as the area) between persons either or both of whom are subject to the jurisdiction of the Ogere Local Council, and shall come into force on the 1st day of April, 1954.

Definitions.

2. In these Bye-laws and unless the context otherwise requires :—

“council” means the Ogere Local Council ;

“particulars required to be furnished” means the particulars comprised in the form in the Schedule to these Bye-laws ;

“registrar” includes such persons as may be appointed by the Council to be Assistant Registrars for the purpose of these Bye-laws ;

“to register” in the case of marriages in relation to a registrar means to record in the proper book the necessary particulars concerning a valid registrable marriage ; and in relation to any other person means to furnish to the best of his or her knowledge and belief to the registrar at the proper registry the particulars required to be furnished with regard to a valid registrable marriage and to sign the entry in the book relating to such marriage.

Place of registration.

3. Any native customary marriage contracted after the coming into force of these Bye-laws, between persons one or both of whom are subject to the jurisdiction of the Council shall be registered at the registrar's office or at the nearest assistant registrar's office in accordance with the provisions of paragraph 4 of these Bye-laws.

Registration voluntary in certain cases otherwise to be compulsory.

4. (a) Registration under these Bye-laws shall be compulsory in the case of marriages contracted after the coming into force of these Bye-laws. Such marriages shall be registered within 7 days (seven days) of the marriage, and a fee of ten shillings and six pence shall be paid for the registration of such a marriage.

(b) Registration in respect of marriages contracted prior to the coming into force of these Bye-laws shall be voluntary and a fee of 5s (five shillings) shall be payable for such registration.

Conditions of registration.

5. Registration of a marriage shall not be refused except as provided for in bye-law 11.

Duties of registrar.

6. The registrar shall keep such records and furnish such returns and perform such duties as the Council may direct.

7. The registrar shall be provided with books in the form in the Schedule to these Bye-laws and shall, subject to the provisions of these Bye-laws, register in the proper book all marriages registrable under these Bye-laws, when required to do so, and shall furnish to the parties free of charge a certified copy of the entry in the marriage register.

8. The registrar shall record in the register the names of the husband and wife, their addresses, and their respective occupations and where possible their ages.

9. In any case where the bride has not been previously married the registrar shall record in the register the amount of dowry paid to the parents of the bride by the bridegroom or his parents, including all incidental expenses.

Marriage of a spinster.

10. In the case of a first marriage the husband or wife must be accompanied to the registry by his or her parents or guardians who shall sign the register as witnesses.

11. If the bride is a divorced woman the registrar shall record in the register the court which granted the divorce, the number of the suit in which the grant was made and the amount of dowry which was paid through the court. The marriage shall not be registered unless these details are supplied.

Marriage of a divorced woman.

12. No register shall be taken out of a registry except by order in writing of the Council or by an order of court.

13. The husband and wife shall be responsible for furnishing the registrar with the particulars required by bye-law 11.

14. Any person shall on payment of a fee of two shillings have the right to inspect at any reasonable time in the presence of the registrar any entry in the marriage register.

15. The registrar shall supply to any person, on request and on payment of a fee of two shillings, a certified copy of any entry in the marriage register.

Supply of copies of entries made in the register.

16. (1) Any person who gives any information to the registrar which he knows to be false or does not believe to be true shall be liable to a fine not exceeding fifty pounds (£50) or in default of payment six months imprisonment.

Penalty for giving false information, etc.

(2) Any person who fails or neglects without reasonable excuse—

(a) to register a compulsory registrable marriage; or

(b) to give to the registrar any information which such person is by these Bye-laws required to give,

shall be liable on conviction to a fine of fifty pounds or in default of payment six months imprisonment.

MADE at Ogere this 1st day of April, 1954, by the Ogere Local Council, the seal of the Ogere Local Council having been hereunto affixed in the presence of :

J. O. ODEBO,

Chairman, Ogere Local Council

J. A. B. FAULKNER,

Secretary, Ogere Local Council

Signed in accordance with the Ogere Local Council Standing Orders, 1953, made on the 23rd day of July, 1953.

APPROVED at Ijebu-Ode this 1st day of July, 1954.

A. J. PHILLIPS,

*Local Government Inspector,
Ijebu Province*

FIRST SCHEDULE

All that piece of land containing thirteen decimal seven square miles or thereabouts situated in the south-east portion of Ilesha Division of Oyo Province and bounded as follows :—

Starting from a point situated on the left-hand side of the road from Akure to Ilesha a distance of 1,696 feet measured along the road in a south-westerly then north-westerly direction from the point where the right bank of the Owena river is crossed by the left-hand side of the road from Akure to Ilesha and marked by Beacon IK.5 (approximate co-ordinates : 4° 49'E, 7° 24'N, Nigeria Survey Map, 1: 500,000, sheet 9 of 1949), by a straight line cut on a bearing of 246 degrees 30 minutes for a distance of 8 miles 4,030 feet through pillars 1002 to 1036 to a point on the right hand side of the road from Ile-Oluji to Ipetu a distance of 615 feet measured along the road in a northerly direction from the point where the right bank of the Oniperegun stream is crossed by the right hand side of the road from Ile-Oluji to Ipetu and marked by Beacon IK.6 ; thence by the right hand side of the road from Ile-Oluji to Ipetu in a general northerly direction for a distance of 1 mile 3,840 feet to Beacon IK.7 situated on the right hand side of the road from Ile-Oluji to Ipetu ; thence 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</i>	<i>To Beacon No.</i>
IK. 7	56°	90 feet	IK. 8
IK. 8	78° 30'	163 feet	IK. 9
IK. 9	49°	178 feet	IK.10
IK.10	8°	141 feet	IK.11
IK.11	36° 30'	252 feet	IK.12
IK.12	50° 30'	272 feet	IK.13
IK.13	35° 30'	214 feet	IK.14
IK.14	54°	138 feet	IK.15
IK.15	13° 30'	125 feet	IK.16
IK.16	32°	165 feet	IK.17
IK.17	2° 30'	296 feet	IK.18
IK.18	341° 30'	195 feet	IK.19
IK.19	354°	155 feet	IK.20
IK.20	8°	77 feet	IK.21
IK.21	20° 30'	170 feet	IK.22
IK.22	30°	388 feet	IK.23
IK.23	9°	375 feet	IK.24
IK.24	354° 30'	346 feet	IK.25
IK.25	45°	245 feet	IK.26
IK.26	351°	190 feet	IK.27
IK.27	34°	195 feet	IK.28
IK.28	4°	140 feet	IK.29
IK.29	12°	370 feet	IK.30
IK.30	45°	122 feet	IK.31
IK.31	28° 30'	176 feet	IK.32
IK.32	348° 30'	286 feet	IK.33
IK.33	307° 30'	190 feet	IK.34
IK.34	338°	233 feet	IK.35
IK.35	23°	345 feet	IK.36
IK.36	41° 30'	270 feet	IK.37
IK.37	21°	250 feet	IK.38
IK.38	32° 30'	593 feet	IK.39
IK.39	12°	189 feet	IK.40
IK.40	19°	78 feet	IK.41
IK.41	9°	256 feet	IK.42

From Beacon No.	Bearing	Length	To Bearing No.
IK.42	18°	146 feet	IK.43
IK.43	25°	210 feet	IK.44
IK.44	34°	188 feet	IK.45
IK.45	58°	208 feet	IK.46
IK.46	45°	140 feet	IK.47
IK.47	54°	303 feet	IK.48
IK.48	77°	188 feet	IK.49
IK.49	34°	267 feet	IK.50
IK.50	359°	240 feet	IK.51
IK.51	29°	199 feet	IK.52
IK.52	347°	542 feet	IK. 1

situated on the left bank of the Ahanran stream ; thence by the left bank of the Ahanran stream upstream in a general easterly direction for a distance of 4 miles 460 feet to Beacon IK.2 situated at the source of the Ahanran stream ; thence by a straight line cut on a bearing of 77 degrees for a distance of 800 feet across the Ariran stream to beacon IK.3 situated on the right bank of the Ariran stream ; thence by the right bank of the Ariran stream downstream in a general easterly then north-easterly direction for a distance of 2 miles 2,750 feet to Beacon IK.4 situated at the point where the right bank of the Ariran stream is crossed by the right-hand side of the road from Ilesha to Akure ; thence by the right-hand side of the road from Ilesha to Akure for a distance of 3 miles 1,330 feet to the starting point.

All bearings are referred to True North and are adjusted from Magnetic bearings observed during the months of February, May and July 1953.

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.

All roads are those in existence in 1953.

SECOND SCHEDULE

1. The right to hunt and fish is reserved to the communal owners of the land.
2. The right to collect colas (*Cola acuminata*), snails and tortoises is reserved to the communal owners of the land.

MADE this 21st day of May, 1954.

Signified in accordance with Ilesha Divisional Native Authority Standing Rules, 1951, dated the 24th day of November, 1951.

S. O. BEWAJI,
Council Clerk, Ilesha

AJIMOKO II,
Owa of Ileshaland

APPROVED this 16th day of June, 1954.

J. H. BEELEY,
Acting Resident, Oyo Province

7398

W.R.L.N. 93 of 1954

RULES made under THE SHIPPING AND NAVIGATION ORDINANCE (Cap. 206)

In exercise of the powers conferred upon native authorities by section 59 of the Shipping and Navigation Ordinance (Cap. 206), the following Rules have been made by the Western Ijaw Divisional Native Authority, with the approval of the Lieutenant-Governor, Western Region.

1. These Rules may be cited as the Western Ijaw Divisional Native Authority (Registration and Licensing of Boats) Rules, 1954. Short title and commencement.

2. Definition :—

"boat" does not include any steam vessel, but includes all other canoes, lighters, barges, boats, rafts, and all other small craft of whatsoever kind or description which are employed on any inland waters. Definition.

3. (1) Every person, whether residing or not within the jurisdiction of the Western Ijaw Divisional Native Authority, who owns or keeps or uses a boat within the said jurisdiction and which boat is not licensed by some other native authority, shall within twenty-eight days, and thereafter within twenty-eight days of 1st January each year, or, if such boat shall have been acquired subsequently to the 1st day of January, then within twenty-eight days of such acquirement, register and take out a licence for such boat in accordance with the provisions of these Rules. Boats to be registered and licensed.

(2) Prior to the issue of any licence the fees prescribed in the Second Schedule hereto shall be paid.

(3) Every such licence shall expire on the 31st day of December next following the date on which it is taken out and shall be in the form set forth in the First Schedule hereto :

Provided that this Rule shall not apply to any boat owned by the Western Ijaw Divisional Native Authority, or to any boat which has been duly licensed in accordance with the provisions of Part VI of the Shipping and Navigation Ordinance, or of rules made by any other competent authority under the said Ordinance.

(4) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine. Penalty.

4. Any person who :—

(a) being the owner of a licensed boat, fails to comply with the conditions prescribed in the licence ; or

(b) loads any licensed boat so that any part of the load-line is submerged, or navigates the same when so loaded :
shall be guilty of an offence and shall be liable on conviction for a first offence to a fine of five pounds or to imprisonment for one month in default of payment of such fine and, subject to the jurisdiction of the Court, on conviction for a second or subsequent offence to a fine of twenty-five pounds or to imprisonment for three months.

5. The Native Authority shall appoint a suitable person as Licensing Officer, and such officer shall have the superintendence within the area of the Native Authority of all matters relating to the registration and licensing of boats. Appointment of Licensing Officers.

6. No boat shall be registered or licensed until the Licensing Officer has examined such boat and has satisfied himself that it is in good condition and repair.

When registration may be refused.

7. The Licensing Officer may refuse to register any boat which he is satisfied is not in good condition and repair.

Licences to be produced on demand.

8. (1) Every person in charge of a boat which is required by these Rules to be registered and licensed shall, on demand being made by any Nigerian or Native Administration Police Officer or Magistrate or Officer of the Marine Department or the Licensing Officer produce the licence granted in respect of such boat.

Penalty.

(2) Any person who fails to comply with the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of two pounds.

Register to be held by Licensing Officer.

9. The Licensing Officer shall keep a register which shall contain :—

- (a) the name and address of the owner of every boat registered by him ;
- (b) a description of the boat ;
- (c) the number of licence (if any) issued in respect thereof and the date of issue ;
- (d) the number (if any) under which the boat is registered ; and
- (e) the number of passengers the boat is licensed to carry.

Particulars of licence.

10. The Licensing Officer shall grant to the owner of every boat which has been registered by him as aforesaid a licence which shall bear upon the face of it :—

- (a) the name and address of the owner ;
- (b) the number under which the boat is registered ;
- (c) the date the licence was issued ; and
- (d) the number of passengers the boat is licensed to carry.

Change of address to be notified to the Licensing Officer.

11. (1) Every change of address of any owner or change of owner shall be reported to the Licensing Officer within one month of such change by the owner of the boat, and such change shall be noted in the register.

Penalty.

(2) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine.

Duplicate Licences.

12. A duplicate of any licence may be issued to the owner by the Licensing Officer on payment of the fee prescribed in the Second Schedule.

Plate to be affixed on the bow of licensed boats.

13. (1) The owner of a licensed boat, other than a lighter or other craft constructed of iron or steel, shall fix or cause to be fixed on both sides of the bow, in the place and position indicated by the Licensing Officer an enamelled iron plate as supplied by the Licensing Officer. The letters and figures shall be white on a background of the same colour as that adopted for the year by the Licensing Authority of the Township of Lagos. They shall be legible at a distance of forty feet.

(2) The owner of a lighter or other craft constructed of iron or steel shall paint or cause to be painted on both sides of the bow, in the place and position indicated by the Licensing Officer the letters "W.I.D.N.A." and the registered number as indicated on the licence.

The letters and figures shall be white on a background of the same colour adopted for the year by the Licensing Authority of the Township of Lagos.

They shall be not less than four inches in height and shall be maintained so as to be legible at a distance of forty feet.

(3) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine. Penalty.

14. The Licensing Officer shall ascertain in the manner hereinafter prescribed the position for the load-line for each boat registered by him, and the owner of the boat shall paint or cause to be painted, and thereafter maintained, in the position indicated by the Licensing Officer on each side of the boat a broad white line three inches wide and two feet long, the lowest part of which shall be the load-line. Load-line to be painted and maintained.

15. The position of the load-line shall be ascertained as follows :— Ascertainment of load-line.

(a) Lighters, or barges with combings and hatches :—

For every foot depth of hold amidship from the flooring of the lighter to the under part of the deck or lower edge of the combings, there shall be allowed two inches of free-board measured from the deck downwards.

(b) Open boats :—

For every foot depth measured amidship from a lath placed across the gunwales to the bottom of the canoe or lighter, there shall be allowed four inches of free-board measured from the edge of the gunwales downwards.

16. (1) For the purpose of arriving at loaded displacement the following formulæ shall be employed :— Loaded displacement.

(a) For lighters and barges :—

Tonnage displaced equals length \times breadth \times mean loaded draught $\div 35$.

(b) For other boats :—

Tonnage displaced equals length \times breadth \times mean loaded draught $\div 35$.

(2) Measurement for length and breadth shall be taken at the loaded-line.

17. (1) The number of passengers which may be carried by a boat (other than a canoe) required to be licensed under these Rules shall be governed by the deck space available, six superficial feet being allowed to each passenger for a voyage exceeding twelve hours in duration and four superficial feet to each person for shorter voyages. For lighters and barges the deck space shall include closed hatchways, but for each six superficial feet occupied by cargo, animals or goods, one passenger shall be deducted. Determination of passenger accommodation.

(2) For the purpose of calculating the number of passengers which may be carried in any canoe the following formula shall be adopted :—

$$\frac{\text{Length in feet} \times \text{Breadth in feet} \times \text{Depth in feet} \times 0.6}{10}$$

10

(3) The measurement for length and breadth should be taken at the load-line. Exemptions.

18. The following boats are exempt from the provisions of these Rules :—

- (a) Any boat belonging to a registered ship ;
- (b) Any boat belonging to the subject of a foreign state who is not resident in Nigeria, provided the boat does not ply for hire or carry passengers within the area of jurisdiction of the Native Authority.

Dated this 30th day of April, 1954.

PERE O. OKPADIA II, *Chairman*

J. D. UJOBOLO, *Member*
Executive Committee, Western Ijaw
Divisional Native Authority

Signified in accordance with the Western Ijaw Divisional Native Authority Standing Rules, 1951.

APPROVED this 29th day of June, 1954.

T. M. SHANKLAND,
Acting Lieutenant-Governor, Western Region

FIRST SCHEDULE

FORM A
Boat Licence

No.....
 A licence is hereby granted for the craft herein described.....
 Registered No.....
 Place of issue.....
 Name of registered owner.....
 Address.....
 Description of craft and owner's mark thereon.....
 Particulars as to size.....

	£	s	d
Cost of Licence
Marking Fee
Total paid

The above-mentioned boat is licensed to carry..... passengers for voyages exceeding twelve hours in duration and..... passengers for shorter voyages and goods and merchandise until the 31st day of December, 19.... subject to the provisions of Part VI of the Shipping and Navigation Ordinance (Cap. 206) and the regulations made thereunder.

Dated this.....day of....., 19....

.....
Licensing Officer

FORM B

Licence for a canoe used for carrying passengers when towed by a steam vessel.....

No.....

A licence is hereby granted for the canoe herein described to carry passengers when towed by a steam vessel until the 31st day of December, 19...., subject to the provisions of Part VI of the Shipping and Navigation Ordinance (Cap. 206) and the regulations made thereunder.

Registered No.....

Place of issue.....

Name of registered owner.....

Address.....

Description of canoe and owner's mark thereon.....

Particulars as to size.....

	£	s	d
Cost of Licence			
Marking Fee			
Total			

Dated this.....day of....., 19....

.....
Licensing Officer

SECOND SCHEDULE

(1) Fees to be paid for licences

(a) Lighters:—

	s	d
Exceeding 150 tons displacement	40	0
Exceeding 100 tons but not exceeding 150	30	0
Exceeding 50 tons but not exceeding 100	25	0
Exceeding 20 tons but not exceeding 50	20	0
Not exceeding 20 tons loaded displacement	15	0

(b) Other boats:—

Exceeding 30 tons loaded displacement	25	0
Exceeding 20 tons but not exceeding 30	20	0
Exceeding 10 tons but not exceeding 20	15	0
Exceeding 5 tons but not exceeding 10	10	0
Exceeding 1 ton but not exceeding 5	5	0
Exceeding $\frac{1}{2}$ ton but not exceeding 1	2	6
Not exceeding $\frac{1}{2}$ ton loaded displacement	1	6

(c) When a licence is issued after the 30th day of June, a reduction of half the above fees shall be allowed.

(d) Duplicate copy of any licence issued above 2 0

W.R.L.N. 94 of 1954

*RULES made under THE SHIPPING AND NAVIGATION
ORDINANCE (Cap. 206)*

In exercise of the powers conferred upon native authorities by section 59 of the Shipping and Navigation Ordinance (Cap. 206), the following Rules have been made by the Ndosimili District Native Authority, with the approval of the Lieutenant-Governor, Western Region.

1. These Rules may be cited as the Ndosimili District Native Authority (Registration and Licensing of Boats) Rules, 1954.

2. Definition :—

"boat" does not include any steam vessel, but includes all other canoes, lighters, barges, rafts, and all other small craft of whatsoever kind or description which are employed on any inland waters.

3. (1) Every person, whether residing or not within the jurisdiction of the Ndosimili District Native Authority, who owns or keeps or uses a boat of length 24 feet or over within the said jurisdiction and which boat is not licensed by some other native authority, shall within twenty-eight days of the 1st July, 1954, and thereafter within twenty-eight days of the 1st of January in each year, or, if such boat shall have been acquired subsequently to the 1st day of January then within twenty-eight days of such acquirement, register and take out a licence for such boat in accordance with the provisions of these Rules.

(2) Prior to the issue of any licence the fees prescribed in the Second Schedule hereto shall be paid.

(3) Every such licence shall expire on the 31st day of December next following the date on which it is taken out and shall be in the form set forth in the First Schedule hereto :

Provided that this Rule shall not apply to any boat owned by any Native Authority within the Aboh Division or to any boat which has been duly licensed in accordance with the provisions of Part VI of the Shipping and Navigation Ordinance or of Rules made by any other competent authority under the said Ordinance.

(4) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine of five pounds or to imprisonment for one month in default of payment of such fine.

4. Any person who, being the owner of a licensed boat, fails to comply with the conditions prescribed in the licence, shall be liable on conviction for a first offence to a fine not exceeding five pounds or to imprisonment for one month in default of payment, and, subject to the jurisdiction of the court, on conviction for a second or subsequent offence to a fine not exceeding twenty-five pounds or to imprisonment for two months.

5. The Native Authority shall appoint suitable persons as Licensing Officers, and such officers shall have supervision, within the area of the Native Authority, of all matters relating to the registration and licensing of boats.

Short title
and
commence-
ment.
Definitions.

Boats to be
registered
and
licensed.

Penalty.

Appointment
of Licensing
Officers.

6. No boat shall be registered or licensed until a Licensing Officer has examined such boat and has satisfied himself that it is in good condition and repair.

7. A Licensing Officer may refuse to register any boat which is not in good condition and repair.

When registration may be refused.

8. (1) Every person in charge of a boat which is required by these Rules to be registered and licensed shall, on demand being made by any Nigerian or Native Administration Police Officer or Magistrate, or Licensing Officer, produce the licence granted in respect of such boat.

Licences to be produced on demand.

(2) Any person who fails to comply with the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two pounds or imprisonment for two months.

Penalty.

9. The Licensing Officer shall keep a register which shall contain :—

Register to be held by Licensing Officer.

(a) the name and address of the owner of every boat registered by him ;

(b) a description of the boat ;

(c) the number of the licence issued in respect thereof and the date of issue ;

(d) the number (if any) under which the boat is registered ; and

(e) the number of passengers the boat is licensed to carry.

10. The Licensing Officer shall grant to the owner of every boat which has been registered by him as aforesaid a licence which shall bear upon the face of it :—

Particulars of licence.

(a) the name and address of the owner ;

(b) the number under which the boat is registered ;

(c) the date the licence was issued ; and

(d) the number of passengers the boat is licensed to carry.

11. (1) Every change of address of any owner or change of ownership shall be reported to the Licensing Officer within one month of such change by the owner of the boat, and such change shall be noted in the register.

Change of address to be notified to the Licensing Officer.

(2) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five pounds or to imprisonment for one month in default of payment of such fine.

Penalty.

12. A duplicate of any licence may be issued to the owner by the Licensing Officer on payment of the fee prescribed in the Second Schedule.

Duplicate of any licences.

13. (1) The owner of a licensed boat, other than a lighter or other craft constructed of iron or steel, shall fix or cause to be fixed on the port side of the bow, in the place and position indicated by the Licensing Officer an enamelled iron plate as supplied by the Licensing Officer.

Plate to be affixed on the bow of licensed boats.

(2) The owner of a lighter or other craft constructed of iron or steel shall paint or cause to be painted on both sides of the bow, in the place and position indicated by the Licensing Officer the letters "N.D.N.A." and the registered number as indicated on the licence.

The letters and figures shall be not less than four inches in height and shall be maintained so as to be legible at a distance of forty feet.

(3) Any person who fails to comply with or commits a breach of the provisions of this Rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two pounds or imprisonment for one month in default of payment.

Determina-
tion of
passenger
accommoda-
tion.

17. (1) The number of passengers which may be carried by a boat (other than a canoe) required to be licensed under these Rules shall be governed by the deck space available, four square feet being allowed to each passenger. For lighters and barges the deck space shall include closed hatchways, but for each four square feet occupied by cargo, animals or goods one passenger shall be deducted.

(2) For the purpose of calculating the number of persons which may be carried in any canoe the following formula shall be adopted :—

$$\frac{\text{Length in feet} \times \text{Breadth in feet} \times \text{Depth in feet} \times 6}{100}$$

(3) The measurement for length and breadth should be taken at the water line.

Exemptions.

18. The following boats are exempt from the provisions of these Rules :—

(a) any boat belonging to a registered ship ;

(b) any boat belonging to the subject of a foreign state who is not resident in Nigeria, provided the boat does not ply for hire or carry passengers within the area of jurisdiction of the Native Authority.

MADE this 15th day of April, 1954.

Signified in accordance with the Ndosimili District Native Authority Standing Rules, 1952.

I. E. EMEGWARI, *President,*
Ndosimili District Native Authority

P. I. N DANENU, *Member*
J. O. OCHIA, *Member*

L. G. C. ASIBELUA,
Clerk of Councils, Aboh Division

APPROVED this 29th day of June, 1954.

T. M. SHANKLAND,
Acting Lieutenant-Governor, Western Region

FIRST SCHEDULE

FORM A

Boat Licence

No.....

A licence is hereby granted for the craft herein described.....

Registered No.....

Place of issue.....

Name of registered owner.....

Address.....

Description of craft and owner's mark thereon.....

Particulars as to size.....

£ s d

Cost of Licence

The above-mentioned boat is licensed to carry.....
 persons including crew, but not including merchandise until the 31st day of
 December, 19....., subject to the provisions of Part VI of the Shipping and
 Navigation Ordinance (Cap. 206) and the regulations made thereunder.

Dated this.....day of.....19.....

.....
Licensing Officer

SECOND SCHEDULE

Fees to be paid for licences

	s	d
(a) <i>Lighters</i> : (all types)	20	0
(b) Other boats :—		
Exceeding 30 feet in overall length	10	0
From 24 feet to 30 feet in overall length	5	0
(c) When a licence is issued after the 30th day of June. a reduction of half the above fees shall be allowed.		
(d) Duplicate copy of any licence issued above	2	0

W.R.L.N. 95 of 1954

The Native Authority Ordinance (Cap. 140)

TEMPORARY APPOINTMENTS : EGUN-AWORI AREA
NATIVE AUTHORITY

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by sections 6, 8 and 10 (a) of the Native Authority Ordinance (Cap. 140), the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) Egun-Awori Area Native Authority (Amendment) Notice, 1954.

2. The Native Authorities (Western Region) (Temporary Appointments) Egun-Awori Area Native Authority Notice, 1954, published as W.R.L.N. 66 of 1954 in the *Western Region of Nigeria Gazette* No. 19 of 1954, is hereby amended by the substitution of "Albert Adeyele" for "Bale Ajido".

GIVEN at Ibadan this 16th day of July, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

W.R.L.N. 96 of 1954

BYE-LAWS made under THE LIQUOR ORDINANCE
(Cap. 114)THE EGBA DIVISIONAL NATIVE AUTHORITY (LIQUOR
LICENSING) (AMENDMENT) BYE-LAWS, 1954

In exercise of the powers conferred upon native authorities by section 22 of the Liquor Ordinance the following Bye-laws have been made by the Egba Divisional Native Authority with the approval of the Governor:—

1. These Bye-laws may be cited as the Egba Divisional Native Authority (Liquor Licensing) (Amendment) Bye-laws, 1954. Short title.

2. Bye-law 29 of the Egba Divisional Native Authority (Liquor Licensing) Bye-laws, 1952, is hereby revoked and the following substituted therefor— Replace-
ment of
Bye-law 29
of Bye-laws
1952.

"29. The following fees shall be payable for licences :

	£	s	d
(1) On application (other than for a temporary licence)	0	7	6
(2) Wine and Beer Off Licence	3	15	0
(3) Wine and Beer On Licence	7	10	0
(4) General Wholesale Liquor Licence	22	10	0
(5) (a) General Retail Liquor Licence (in Abeokuta Town)	45	0	0
(b) General Retail Liquor Licence (outside Abeokuta Town)	22	10	0
(6) Hotel Liquor Licence	37	10	0
(7) Club Liquor Licence	7	10	0
(8) Temporary Liquor Licence (for each day, or continuous period not exceeding twelve hours on two days)	1	10	0
(9) Tavern Licence	37	10	0

Provided that in the case of any Licence (other than a Temporary Licence) which is not issued before 30th June in any year, half only of the fee prescribed for such licence shall be demanded".

3. The fees mentioned in the Forms in the Schedule to the Bye-laws are hereby amended so as to conform with the amended fees.

DATED this 19th day of June, 1954, at Abeokuta.

ADEMOLA II,
ADEDAMOLA II,
B. B. SOBEKUN,
GBADELA II.

Witness to Signatures

J. O. KUFORJI,

Acting Clerk of Council

Signified in accordance with the Egba Divisional Native Authority Standing Rules, 1951, made the 24th of March, 1951..

APPROVED by the Governor this 19th day of July, 1954.

By His Excellency's Command.

A. T. WEATHERHEAD,

Acting Administrative Secretary to the Government

W.R.L.N. 97 of 1954

*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of powers conferred upon the Lieutenant-Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Sapele Township) Declaration and Prohibition (Revocation) Order, 1954.

2. The Rabies (Sapele Township) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Warri this 16th day of July, 1954.

1415

R. J. M. CURWEN,
Resident, Delta Province

W.R.L.N. 98 of 1954

*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of the powers conferred upon the Lieutenant-Governor, Western Region, by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Warri Township and Urban Area) Declaration and Prohibition Order, 1954.

2. The Warri Township and Urban Area of the Delta Province is hereby declared to be a diseased area.

3. The removal of dogs from the diseased area to any other area or from any other area into the diseased 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 the Dogs Ordinance.

MADE at Warri this 16th day of July, 1954.

1415

R. J. M. CURWEN,
Resident, Delta Province

W.R.L.N. 99 of 1954

ORDER made under THE FORESTRY ORDINANCE (Cap. 75)

IVI-ADA-Obi NATIVE AUTHORITY FOREST RESERVE
(AMENDMENT) ORDER, 1954

In exercise of the powers conferred upon native authorities by section 26 of the Forestry Ordinance it is hereby ordered by the Ivi-Ada-Obi Native Authority with the concurrence of the Ivbiosakon Federal Native Authority to which it is subordinate and with the approval of the Resident, Benin Province, to whom power of approval has been delegated as follows :—

1. This Order may be cited as the Ivi-Ada-Obi Native Authority Forest Reserve (Amendment) Order, 1954.

2. N.A. Public Notice No. 104 of 1950 is hereby revised and modified by revoking the First and Second Schedules thereto and substituting therefor the following new Schedules.

FIRST SCHEDULE

All that piece of land containing fifty decimal two square miles or thereabouts situated in the south-central part of the Kukuruku Division of the Benin Province and bounded as follows :—

Starting from a point, the approximate co-ordinates of which are $6^{\circ} 6'E$; $6^{\circ} 59'N$ (Nigeria Survey Department Map, 1 : 500,000, sheet 10 dated 1949), a distance of 1 mile 4,720 feet south-south-east of a point on the Afuje-Sebe Clan boundary which is marked by an *Antiaris* tree on the left hand side of the motor road from Sebe to Afuje which point is a distance of 4 miles 1,980 feet measured along the left hand side of the motor road from Sebe to Afuje from Sebe Town and marked by Beacon No. 1, by a straight line cut on a bearing of 81 degrees 30 minutes for a distance of 2 miles 2,449 feet to Beacon No. 2 situated on the right bank of the Edion river; thence by the right bank of the Edion river downstream in a general south-south-easterly direction for a distance of 3,863 feet to Beacon No. 2A situated on the right bank of the Edion river; thence by a straight line cut on a bearing of 185 degrees 30 minutes for a distance of 98 feet to Beacon No. 2B situated on the right bank of the Edion river; thence continuing by the right bank of the Edion river downstream in a general southerly direction for a distance of 1,177 feet to Beacon No. 3 situated on the right bank of the Edion river; thence by a straight line cut on a bearing of 277 degrees 30 minutes for a distance of 3,882 feet to Beacon No. 4; thence by a straight line cut on a bearing of 198 degrees 30 minutes for a distance of 4,730 feet to Beacon No. 4A; thence by a straight line cut on a bearing of 202 degrees 30 minutes for a distance of 1,570 feet to Beacon No. 4B; thence by a straight line cut on a bearing of 208 degrees 30 minutes for a distance of 2,862 feet to Beacon No. 4C; thence by a straight line cut on a bearing of 205 degrees for a distance of 2,521 feet to Beacon No. 4D situated on the left bank of the Ukhu stream; thence across the Ukhu stream on a bearing of 205 degrees for a distance of 21 feet to Beacon No. 5 situated on the right bank of the Ukhu stream; thence by the right bank of the Ukhu stream downstream in a general south-easterly direction for a distance of 1 mile 3,488 feet crossing the Edabukur stream to Beacon No. 6 situated on the right bank of the Olualo river opposite the point where the left bank of the Edabukur stream is joined by the right bank of the Ukhu stream; thence by the right bank of the Olualo river downstream in a general easterly direction for a distance of 2 miles 2,855 feet to Beacon No. 7 situated on the right bank of the Olualo river where it is crossed by the right hand side of the path from Akeke to Warrake:

thence across the Olualo river on a bearing of 10 degrees for a distance of 25 feet to Beacon No. 7A situated on the left bank of the Olualo river; thence by a straight line cut on a bearing of 10 degrees for a distance of 3,737 feet to Beacon No. 8 situated on the right bank of the Edion river; thence by the right bank of the Edion river downstream first in a general north-easterly and then south-easterly direction for a distance of 9 miles 2,727 feet to Beacon No. 9 situated on the right bank of the Edion river where it is crossed by the Ivi-Ada-Obi-Aviele Clan boundary; thence by the Ivi-Ada-Obi-Aviele Clan boundary in a general south-westerly direction for a distance of about 5 miles 5,000 feet to Beacon No. 10 situated on the right hand side of the proposed motor road from Agbede to Isioriri where it is crossed by the Ivi-Ada-Obi-Aviele Clan boundary; thence following the general direction of the proposed motor road from Agbede to Isioriri by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
247 degrees 30 minutes	366 feet
224 degrees	1,377 feet
221 degrees	400 feet
229 degrees	533 feet
268 degrees 30 minutes	726 feet
283 degrees	764 feet
266 degrees	924 feet
229 degrees	203 feet to Beacon

No. 11 situated on the right hand side of the proposed motor road from Agbede to Isioriri; thence by a straight line cut on a bearing of 1 degree for a distance of 2 miles 842 feet to Beacon No. 12; thence by a straight line cut on a bearing of 270 degrees for a distance of 2 miles 5,201 feet to Beacon No. 13; thence by a straight line cut on a bearing of 180 degrees for a distance of 2 miles 2,358 feet to Beacon No. 14 situated on the right hand side of the proposed motor road from Isioriri to Olelu where it is joined by the right hand side of the path from Akeke to Olelu; thence following the general direction of the proposed motor road from Isioriri to Olelu by bearings and distances as follows :—

<i>Bearing</i>	<i>Distance</i>
249 degrees	528 feet
221 degrees	1,710 feet
192 degrees	1,254 feet
211 degrees	221 feet
229 degrees	420 feet
230 degrees 30 minutes	296 feet
228 degrees 45 minutes	638 feet
241 degrees 15 minutes	297 feet
253 degrees 30 minutes	412 feet
251 degrees	316 feet
231 degrees	619 feet
241 degrees	429 feet
258 degrees	342 feet
248 degrees	413 feet
238 degrees 45 minutes	429 feet
245 degrees	528 feet
236 degrees	621 feet
242 degrees 15 minutes	404 feet
237 degrees 30 minutes	688 feet
241 degrees	495 feet
216 degrees	167 feet
230 degrees	217 feet

<i>Bearing</i>	<i>Distance</i>
245 degrees	305 feet
231 degrees	264 feet
237 degrees	371 feet
284 degrees 30 minutes	1,653 feet
269 degrees	1,655 feet to

Beacon No. 15 situated on the right hand side of the proposed motor road from Isioriri to Orelu; thence by a straight line cut on a bearing of 338 degrees 30 minutes for a distance of 1,984 feet to Beacon No. 16 situated on the right bank of the Edobukor stream; thence across the Edobukor stream on a bearing of 338 degrees 30 minutes for a distance of 24 feet to Beacon No. 16A situated on the left bank of the Edobukor stream; thence by the left bank of the Edobukor stream upstream in a general south-south-westerly direction for a distance of 1,018 feet to Beacon No. 17 situated on the left bank of the Edobukor stream; thence across the Edobukor stream by a straight line cut on a bearing of 217 degrees 30 minutes for a distance of 637 feet to Beacon No. 18 situated on the right hand side of the proposed motor road from Isioriri to Orelu; thence following the general direction of the proposed motor road from Isioriri to Orelu by bearings and distances as follows:—

<i>Bearing</i>	<i>Distance</i>
282 degrees 45 minutes	2,575 feet
249 degrees 30 minutes	424 feet
234 degrees	453 feet to

Beacon No. 19 situated on the right hand side of the proposed motor road from Isioriri to Orelu where it is joined by the right hand side of the proposed motor road from Ugbobiagan to Afuje; thence following the general direction of the proposed motor road from Ugbobiagan to Afuje by bearings and distances as follows:—

<i>Bearing</i>	<i>Distance</i>
357 degrees	651 feet
8 degrees 30 minutes	437 feet
19 degrees	505 feet
31 degrees 30 degrees	383 feet
37 degrees	411 feet
15 degrees 30 minutes	627 feet
354 degrees	754 feet
348 degrees 30 minutes	618 feet
350 degrees	653 feet
333 degrees 30 minutes	379 feet
343 degrees	1,128 feet
344 degrees	1,008 feet
335 degrees 30 minutes	714 feet
339 degrees 30 minutes	397 feet
349 degrees	609 feet
344 degrees	356 feet
326 degrees 30 minutes	349 feet
303 degrees	469 feet
290 degrees 30 minutes	349 feet
302 degrees	259 feet
318 degrees	978 feet
308 degrees	668 feet
304 degrees	971 feet
277 degrees	1,362 feet
274 degrees 30 minutes	301 feet
298 degrees 30 minutes	210 feet

Bearing	Distance
314 degrees 30 minutes	371 feet
311 degrees 30 minutes	574 feet
317 degrees 15 minutes	602 feet
325 degrees 30 minutes	238 feet
332 degrees	1,019 feet to

Beacon No. 20 situated on the right hand side of the proposed motor road from Ugbobiagan to Afuje; thence by a straight line cut on a bearing of 49 degrees for a distance of 4 miles 3,309 feet to Beacon No. 21 situated on the left bank of the Edobukor stream where it is crossed by the Afuje-Erra Clan boundary; thence across the Edobukor stream by a straight line cut on a bearing of 348 degrees 30 minutes for a distance of 1 mile 4,021 feet crossing the Okoze stream to Beacon No. 22 situated on the left bank of the Okoze stream; thence by the left bank of the Okoze stream upstream in a general westerly direction for a distance of 2,772 feet to Beacon No. 23 situated on the left bank of the Okoze stream; thence by a straight line cut on a bearing of 347 degrees for a distance of 2 miles 853 feet to the starting point.

All distances and bearings are approximate only, distances being those actually measured on the ground and not reduced to the horizontal.

All bearings are referred to True North and adjusted from magnetic bearings observed during the months of April to September, 1951.

All Beacons are cement pillars prefixed with the letters F.D.

SECOND SCHEDULE

RIGHTS WITHIN THE RESERVE

The following rights are admitted :—

1. Rights of way to the general public along the portion within the reserve of :—
The 1953 path from Isioriri to Warrake.
The 1953 path from Akeke to Warrake.
2. To all members of the Warrake Clan, the Sebe Clan and the Erra Clan :—
 - (a) To hunt and fish.
 - (b) To collect honey and beeswax.
 - (c) To collect tie-tie from all climbers.
 - (d) To collect canes.
 - (e) To collect *Raphia* poles and leaves.
3. To all members of the Warrake Clan :—
To collect the fruits of *Irvingia* and *Diospyros xanthochlamys* (Urobozo).
4. To all members of the Sebe Clan :—
To collect the fruits of *Irvingia*, *Diospyros xanthochlamys* (Urobozo), *Elaeis* and *Randia*.
5. To all members of the Erra Clan :—
 - (a) To collect the fruits of *Irvingia*, *Diospyros xanthochlamys* (Urobozo) and *Elaeis*.
 - (b) To collect thatching grass.
 - (c) To collect *Sarcophrynium* leaves.
 - (d) To take timber of *Borassus* and *Fagara*.

MADE this 10th day of May, 1954.

CHIEF OTOKHILA His X Mark
 CHIEF J. D. EMOKPARE
 CHIEF MOMODU IKESI His X Mark
 CHIEF IZIREN FOR ERRA His X Mark
Ivi-Ada-Obi Native Authority

Signified in accordance with the Ivi-Ada-Obi Native Authority Standing Rules dated the 11th day of July, 1944.

DATED this 10th day of May, 1954.

Witness to Marks

A. A. WILLIAMS.

RAYMOND HUNTER,
District Officer, Kukuruku Division

CONCURRED in this 14th day of May, 1954.

J. A. OGEDENGBE,
D. T. JAGBADI,
Ivbiosakon Federal Native Authority

Signified in accordance with the Ivbiosakon Federal Native Authority Standing Rules dated the 23rd day of May, 1949.

APPROVED this 3rd day of July, 1954.

J. R. BROMAGE,
Acting Resident, Benin Province

23647

W.R.L.N. 100 of 1954

BYE-LAWS made under THE TOWNSHIPS ORDINANCE (Cap. 216)

THE WARRI TOWNSHIP AND URBAN DISTRICT (LICENSING AND CONTROL OF TRUCKS) (AMENDMENT) BYE-LAWS, 1954

In exercise of the powers conferred upon local authorities by section 47 of the Townships Ordinance the following Bye-laws have been made by the Local Authority, Warri, with the approval of the Lieutenant-Governor.

1. These Bye-laws may be cited as the Warri Township and Urban District (Licensing and Control of Trucks) (Amendment) Bye-laws, 1954. Short title.
2. The Warri Township and Urban District (Licensing and Control of Trucks) Bye-laws, 1953, are hereby amended by the deletion of paragraph 4 sub-section (c) and the substitution of the following therefor:—

"(c) ensure that each truck is in control of at least one person of the age of 18 years, or over, who is in possession of a truck puller's licence obtained from the Local Authority on payment of 5s. Such licence to expire on 31st December each year.

Provided that the Local Authority may refuse to issue such a licence if the applicant for the licence has been convicted of an offence which in the opinion of the Local Authority indicates that he is not a suitable person to hold a truck puller's licence or is unable to provide suitable proof that is of 18 years of age or over".

MADE this 19th day of June, 1954.

F. H. BUTCHER,
Local Authority, Warri

APPROVED this 26th day of July, 1954.

T. M. SHANKLAND,
Acting Lieutenant-Governor, Western Region



W.R.L.N. 101 of 1954**BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)**

In exercise of the powers conferred upon the Ijebu-Remo Divisional Council by section 77 of the Western Region Local Government Law, 1952, and by Western Region Public Notice No. 72 of 1953, the following Bye-laws have been made by the Council with the approval of the Permanent Secretary to the Ministry of Local Government, to whom powers of approval have been delegated :—

1. These Bye-laws may be cited as the Ijebu-Remo Divisional Council (Slaughter) Bye-laws, 1954, and shall apply to all persons subject to the jurisdiction of the Ijebu Remo Divisional Council whilst within the area of its jurisdiction.

2. In these Bye-laws :—

“butcher’s stall” means a place set aside and approved by the Ijebu-Remo Divisional Council for the sale of animals slaughtered ;

“counter scale” means a weighing instrument with weights in stones, pounds and ounces approved by the Council ;

“Health Officer” means a Medical Officer of Health, a Sanitary Inspector or other person acting under the authority, whether general or special, of the Medical Officer of Health, and whether such Sanitary Inspector or other person is serving in the Medical or Sanitary Departments of the Government or is in the service of a local government council ;

“Council” means the Ijebu-Remo Divisional Council ;

“public slaughter-house” means a slaughter-house established by the Council for the slaughter of animals intended for sale for the food of man and includes a public slaughter slab ;

“slaughter” with its grammatical variations and cognate expressions, means the killing of animals intended for sale for the food of man.

3. The slaughtering of animals shall be by the method or methods prescribed by the Health Officer.

4. No animal shall be slaughtered except in a public slaughter-house.

5. (1) No person shall slaughter except he shall first obtain a permit to slaughter the animal or animals mentioned therein from a person duly authorised in that behalf by the Council.

(2) Such permit shall be issued upon the following conditions :—

(a) That the animal or animals have been inspected by a person duly authorised in that behalf by the Council upon the advice of the Medical Officer of Health and passed by such person as fit for slaughter.

(b) That the fees prescribed in the schedule to these Bye-laws have been paid in respect of the animal or animals to be specified in the permit.

6. (1) No person shall remove the meat of any animal slaughtered in a public slaughter-house until such meat has been inspected by a person duly authorised in that behalf by the Council upon the advice of the Medical Officer of Health and passed by such person as fit for human food.

(2) Any meat which a person so authorised considers unfit for human consumption shall be destroyed in such manner as the Council, upon the advice of the Health Officer, shall direct.

(3) The method of dissecting and laying out the carcase for inspection shall be as advised by the Health Officer.

(4) After the carcase has been quartered, no further cutting, boning or trimming shall take place in the slaughter-house.

7. For the purpose of these Bye-laws a public slaughter-house shall only be opened from 5 a.m. to 9 a.m.

8. (1) No butcher shall have more than four assistants helping him in a public slaughter-house for any one bovine or pig or more than one assistant for any sheep or goat.

(2) No unauthorised person shall be allowed in a public slaughter-house. Authorisation shall be given by the Council on the advice of the Health Officer and may be withdrawn at any time.

(3) Each butcher shall see that the utensils used by him and his assistants are kept clean and in good condition and also that the clothing and persons of himself and his staff are clean.

(4) No meat shall be removed from a public slaughter-house except in a clean receptacle.

9. Notwithstanding the provisions of Bye-laws 4 and 7, in cases of emergency the Council may, on the advice of the Health Officer, permit slaughter at such place and at such time as may be determined by him.

10. Any person who slaughters at a public slaughter-house shall immediately afterwards clean away and dispose of, in such manner as may be directed by the Health Officer, all blood, offal and rubbish of any description and shall thoroughly wash clean the slaughter-house.

11. If the Health Officer considers that any authorised person is an undesirable person to work at a slaughter-house by reason of his failure to co-operate in the general measures for the sanitary maintenance of the slaughter-house, he shall make representations to the Council to exclude such person for as long as he thinks fit.

12. Sales of meat shall be made from butchers' stalls only and shall be transacted between the hours of 6.30 a.m. and 6.30 p.m. daily.

13. Every butcher while selling shall possess and use a counter-scale and shall sell meat at a fixed price per pound.

14. Any person who fails to comply with any of the provisions of Bye-laws 3, 4, 5, 6, 7, 8, 10, 12 or 13 shall be guilty of an offence and shall be liable to a fine not exceeding two pounds or in default to imprisonment not exceeding two weeks for the first and each subsequent offence.

15. The Ijebu Remo Native Authority (Slaughter) Bye-laws, 1940, are hereby revoked.

SCHEDULE

Cattle—10s per head
Goat, sheep, swine—4s per head.

MADE at Shagamu this 3rd day of April, 1954, by the Ijebu-Remo Divisional Council, the seal of the Council having been hereunto affixed in the presence of :—

M. S. AWOLESI, ERINWOLE II,
President, Ijebu-Remo Divisional Council
ADE AIYEOLA, AFOLU II,
Chairman, Ijebu-Remo Divisional Council
A. A. ADEGBAMIGBE,
Secretary, Ijebu-Remo Divisional Council

Signified in accordance with the Ijebu-Remo Divisional Council Standing Orders, 1953, made on the 26th day of September, 1953.

APPROVED at Ibadan this 23rd day of June, 1954.

D. A. MURPHY,
*Acting Permanent Secretary,
Ministry of Local Government,
Western Region, Ibadan*

27930/2

W.R.L.N. 102 of 1954

*BYE-LAWS made under THE WESTERN REGION LOCAL
GOVERNMENT LAW, 1952 (No. 1 of 1953)*

In exercise of powers conferred by section 77 of the Western Regional Local Government Law, 1952, and by Western Region Public Notice No. 73 of 1953, the following Bye-laws are made by the Ikenne Local Council, with the approval of the Local Government Inspector, Ijebu Province.

1. These Bye-laws may be cited as the Ikenne Local Council (Market) Bye-laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Ikenne Local Council or being within the area of its jurisdiction. Short title and application.

2. In these Bye-laws :—

“fees” means all moneys payable to the Council under the provisions of these Bye-laws ;

“Market” means any market set out in the schedule below ;

“Council” means the Ikenne Local Council ;

“Stall” means any erection, permanent or temporary, designed to give the occupant protection from the weather, or any construction affixed to the ground for the display of goods for sale.

3. The market shall be opened on such days as the Council shall appoint. Market days.

4. The following fees shall be payable in advance to the Market Master appointed by the Council by all persons selling or exposing for sale food or merchandise, or carrying on their trade or calling in the market, or parking their motor vehicles therein :—

- (a) For permanent stalls maintained by the Council :—
Per Market Day—2d.
Monthly—1s.

(b) For all other stalls including those erected by the trader himself :—
Per Market Day—1d.
Monthly—6d.

(c) For squatting in a vacant place set aside for casual traders and for all other traders not using stalls—1d per Market day.

(d) For parking of motor vehicles in the market for the purpose of setting down or picking up food or merchandise per motor vehicle per market day—6d.

Offences.

5. Any person who—

(a) uses any stall or store in the market for the purpose of selling any article or carrying on his trade or calling in the market and who shall not have paid the prescribed fee therefor ; or

(b) erects any stall, shed, building, wall, fence, or enclosure within the market boundary without the consent of the Council ; or

(c) allows a stall which he has hired to become insanitary or fails to keep it clean ; or

(d) exposes, for sale in the market, produce, merchandise or any substance, except in a stall or place which has been set aside by the Council for the sale of such wares ; or

(e) hawks any good within 200 yards of any market ; or

(f) places any obstruction in the alleys or passages of a market ; or

(g) deposits refuse in any place within a market other than in a receptacle provided for the purpose ; or

(h) uses or permits to be used as a dwelling any plots, stall or store erected in the market ; or

(i) sub-lets any stall without the consent in writing of the Council ; shall be guilty of an offence against these Bye-laws and shall be liable in respect of each offence to a fine of five shillings or in default to seven days imprisonment, and in the event of any continuing offence to a fine of five shillings or in default to seven days imprisonment for every day on which the offence is committed.

Allocation of stalls.

6. On application being made to the Council a stall may be allotted to any individual for a period not exceeding three months and the fee for that stall shall be paid in advance.

7. All fees collected under these Bye-laws shall be paid into the revenue of the Council.

Unsafe or insanitary stalls.

8. (i) If any stall not being the property of the Council is in the opinion of the Council unsafe or insanitary the Council may in writing order the owner or occupier to render it safe or sanitary. If the said owner or occupier shall fail to comply with the order within one month of the receipt of the order, the Council may cause the stall to be removed and no compensation shall be payable therefor, but the said owner or occupier shall be liable for the cost of removal of the stall.

(ii) The provisions of paragraph (i) above shall be without prejudice to any action that may be taken by the Council under paragraph (c) of bye-law 5.

Unauthorised erection of stalls, etc.

9. Any person who in contravention of paragraph (b) of bye-law 5 erects any stall, shed, building, wall, fence or enclosure within the market, or within 100 yards of the market boundary, shall be required to remove the erection within such reasonable time as shall be fixed by the Council. If any such person shall refuse or neglect to comply with the orders of the Council, he shall, in addition to any penalty he may have incurred under paragraph (b) of bye-law 5, be liable to a penalty of five shillings for each

day during which the erection remains after the expiration of the order of removal given by the Council. The Council, may after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

10. All stalls shall be constructed in accordance with the requirements of the Council.

11. (i) No person, or persons or body of persons shall erect market stalls or establish a market, or operate a market save with the prior approval of the Council.

(ii) Any person or persons or body of persons who shall contravene bye-law 11 (i) shall be required to remove such stalls or discontinue the operation of such a market within such reasonable time as shall be fixed by the Council. If any person shall refuse or neglect to comply with the order of the Council he shall be liable to a fine of 5s or in default to seven days imprisonment and to a penalty of 5s for each day during which the erection remains or the market continues after the expiration of the order of the Council. The Council, may after the expiration of the period allowed for removal, at its discretion, dismantle the erection, remove all materials, and sell them to pay any unpaid fine or any cost of such removal.

12. No existing stall, building, wall, fence or enclosure shall be altered without the permission of the Council. Any person altering any such erection without the permission of the Council shall be liable to a fine of five shillings or seven days imprisonment in respect of each offence. Alteration of stalls, etc.

13. No driver of any motor vehicle shall draw up his vehicle at any place within the market except at the places appointed by the Council. Any person drawing up a motor vehicle at any other place than that appointed by the Council for the purpose shall be liable to a fine of five shillings, or in default to seven days imprisonment for each offence. Motor vehicles.

14. Any person riding a bicycle or a horse or driving a mechanically propelled vehicle within a market whilst such market is open shall be guilty of an offence and shall be liable to a fine of five shillings, or in default to seven days imprisonment for each offence.

15. Any person other than the Market Master or any person duly appointed by the Council for this purpose, who collects or attempts to collect any fees payable to the Council shall be guilty of an offence and shall be liable to a fine of five pounds or in default to imprisonment for one month. Unauthorised collection of fees.

16. Any person who enters and remains within the confines of the market between the hours of 7 p.m. and 6 a.m. of any night immediately following any market day as appointed by the Council or the night immediately preceding any such duly appointed market day, shall be guilty of an offence and shall be liable to a fine of five shillings or in default to seven days imprisonment. Preclusion of squatters.

SCHEDULE

(i) The Market bounded by the Market Street, Idotun Street, Ikennc.

(ii) Ajina Market at Losi Quarters, Ikenne.

(iii) Ita Ale Market at the junction of Ita Jagun, Oke Magbon, Moko and Market Street.

(ii) Kola-Nut and Yam Market at the open space between Idotun Street and Igboosi in the front of Itoro Hall.

MADE by the Ikenne Local Council this 7th day of May, 1954, the common seal of the Ikenne Local Council being hereto affixed in the presence of :—

G. A. AWOMUTI,
President

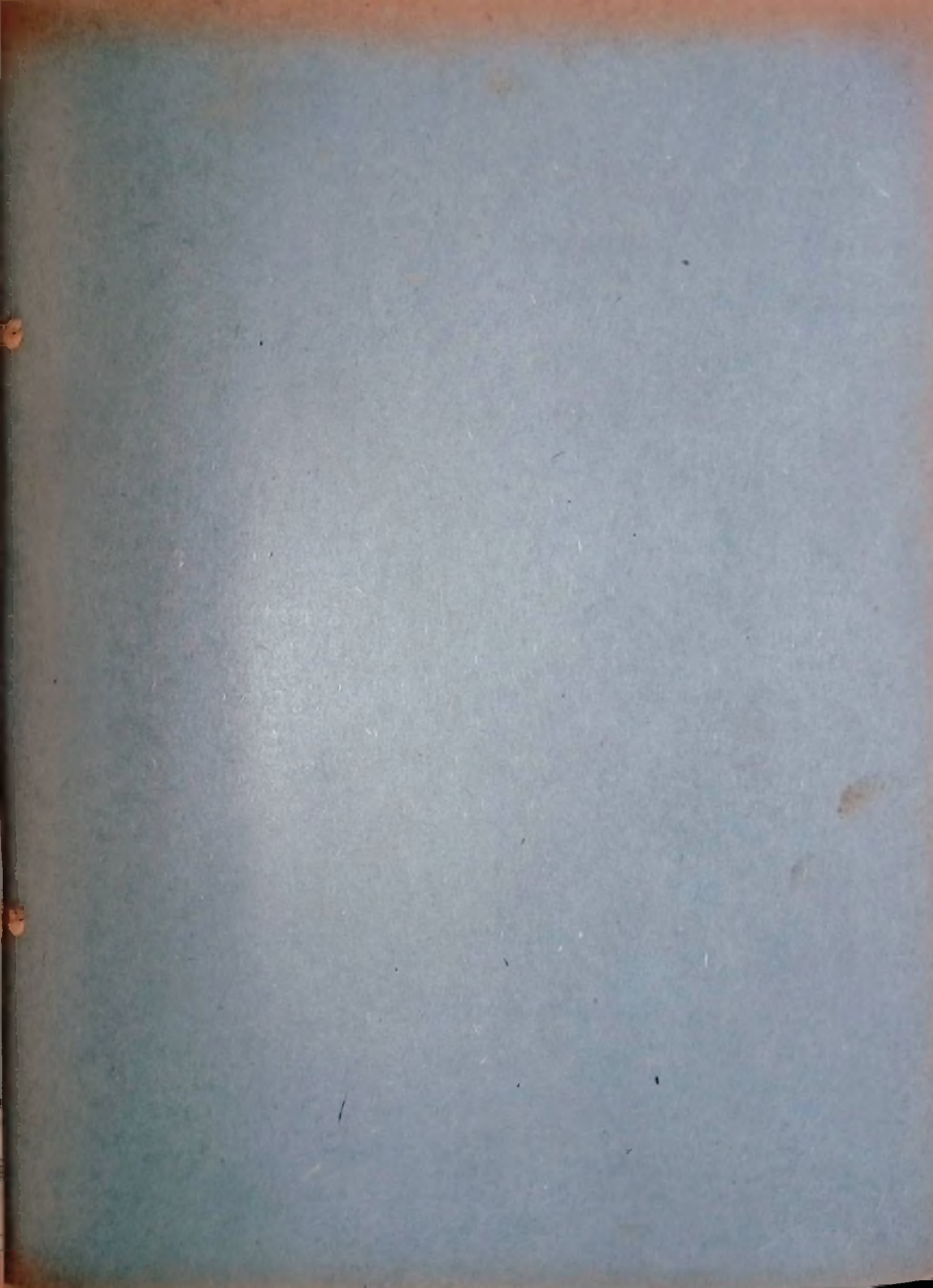
AYO AKINSANYA,
Chairman

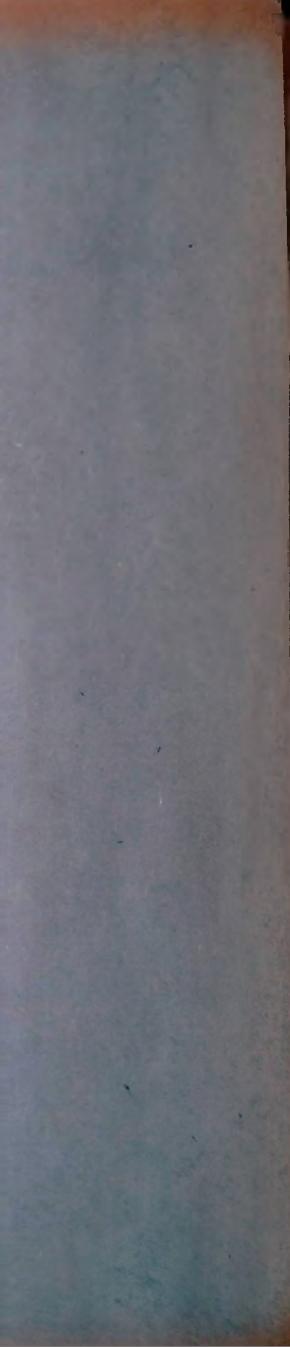
E. A. SHONOIKI,
Secretary

APPROVED by me this 29th day of June, 1954.

A. J. PHILLIPS,
Local Government Inspector

27551/2





The following Bill, which will in due course be presented to the Regional Legislature for enactment, is published for general information.

By His Honour's Command,

T. M. SHANKLAND,
Civil Secretary, Western Region

Ibadan, 31st December, 1953.

A BILL

FOR

A LAW TO APPROPRIATE THE SUM OF SEVEN MILLION, ONE HUNDRED AND SEVENTY-FOUR THOUSAND, SIX HUNDRED AND THIRTY POUNDS TO THE SERVICE OF THE WESTERN REGION FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-FIVE.

[, 1954] Date of commencement.

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

1. This Law may be cited as the 1954-55 Appropriation Law, 1954. Short title.

2. The Regional Treasurer may, on the warrant of the Lieutenant-Governor, pay out of the revenue and other funds of the Western Region during the year ending on the 31st day of March, 1955, any sums not exceeding in the whole the sum of seven million, one hundred and seventy-four thousand, six hundred and thirty pounds, being the total of the amounts set forth opposite Heads 301 to 333 in the Schedule hereto. Expenditure of £7,174,630 authorised out of the revenue and funds of the Western Region. Schedule..

3. The said sums, in the whole not exceeding the sum of seven million, one hundred and seventy-four thousand, six hundred and thirty pounds, shall be appropriated to the purposes and in the manner expressed in the Schedule to this Law. Appropriation of £7,174,630.

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, 1955, 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. Balance unissued to lapse.

SCHEDULE

	£
301. Lieutenant-Governor	10,050
302. Executive Council	10,380
303. Ministry of Agriculture and Natural Resources	11,100
304. Agriculture	141,210
305. Forestry	97,530
306. Veterinary	26,340
307. Civil Secretary's Office	31,880
308. Administration	325,670
309. Police	662,800
310. Printing and Stationery	33,430
311. Public Relations	39,240
312. Ministry of Education	10,130
313. Education	1,813,140
314. Financial Secretary's Office	7,940
315. Treasury	52,120
316. Ministry of Public Health	9,880
317. Medical Services	888,420
318. Ministry of Lands	10,020
319. Land	33,120
320. Survey	50,810
321. Ministry of Local Development	11,530
322. Co-operative Societies	39,090
323. Social Welfare	32,070
324. Ministry of Local Government	22,350
325. Ministry of Public Works	10,620
326. Public Works	272,450
327. Public Works Recurrent : Maintenance Works	444,070
328. Public Works Recurrent : Maintenance Services	21,710
329. Public Works Extraordinary	300,170
330. Legislature	73,670
331. Miscellaneous	1,043,880
332. Public Debt	60,000
333. Subventions	577,810
Total	<u>£7,174,630</u>

Objects and Reasons

To provide for the service of the Western Region for the year 1945-55.

N. G. HAY,
Legal Secretary

Legal Secretary's Chambers,
Ibadan, Nigeria, 31st December, 1953.

Supplement to the Western Regional Gazette No. 3, Vol. 3, 21st January, 1954—Part C

The following Bill, which will in due course be presented to the Regional Legislature for enactment, is published for general information.

By His Honour's Command,
T. M. SHANKLAND,
Civil Secretary, Western Region

Ibadan, 14th January, 1954.

A BILL FOR

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-THREE.

Date of
commence-
ment.

[]

WHEREAS by the 1952-53 Appropriation Law, 1952, a sum not exceeding four million, six hundred and seventy-one thousand and seventy 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-three, to be applied and expended in the manner therein described and for the several services set forth in the Schedule thereto :

Preamble,
No. 1 of
1952.

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 :

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

Enactment.

1. This Law may be cited as the 1952-53 Supplementary Appropriation Law, 1953.

Short title.

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 1952-53 Appropriation Law, 1952.

Additional
expenditure
for 1952-53
legalised.

Schedule to
No. 1 of
1952.

<i>Head of Expenditure</i>		SCHEDULE					£
302.	Lieutenant-Governor .. .. .	..	..	..	..	..	2,123
303.	Administration .. .. .	..	..	..	..	..	7,083
305.	Co-operative Societies .. .. .	..	..	..	..	..	152
306.	Education .. .. .	..	..	..	..	..	93,146
312.	Miscellaneous .. .. .	..	..	..	..	..	111,259
314.	Printing and Stationery .. .. .	..	..	..	..	..	1,880
315.	Public Relations .. .. .	..	..	..	..	..	4,919
318.	Public Works Recurrent : Maintenance Services ..	..	..	..	..	..	34,371
320.	Secretariat .. .. .	..	..	..	..	..	2,679
Total							£257,612

Objects and Reasons

To make supplementary provision for the service of the Western Region for the year 1952-53.

N. G. HAY,
Legal Secretary

Legal Secretary's Chambers,
Ibadan, Nigeria.

27th October, 1953.

The following Bill, which will in due course be presented to the Regional Legislature for enactment, is published for general information.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

Ibadan, 12th August, 1954.

A BILL

FOR

A LAW TO MAKE PROVISION FOR THE PURCHASE OF PRODUCE FOR EXPORT AND FOR MATTERS CONNECTED THEREWITH.

[1954] 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 Marketing Board Law, 1954. Short title.

2. In this Law, unless the context otherwise requires :— Interpretation.

“Central Marketing Board” means the Central Marketing Board which may be established by Federal law ; and until such a Board is established by Federal law and charged with the responsibility for the export from Nigeria of produce subject to this Law all references to the Central Marketing Board contained in this Law shall be deemed to refer to the Nigeria Cocoa Marketing Board, the Nigeria Oil Palm Produce Marketing Board, or the Nigeria Cotton Marketing Board ;

“commodity” means any of the products designated in the schedule ;

“crop year” means such period as may be specified by the Marketing Board for any of the produce subject to this Law ;

“export” with its grammatical variations and cognate expressions means to take or cause to be taken out of Nigeria ;

“Government” includes the Government of the Western Region or the Federal Government ;

“licensed buying agent” means any person in possession of a valid licence granted to such person by the Marketing Board under section 16 for the purchase of produce subject to this Law for sale to the Marketing Board ;

"Marketing Board" means the Marketing Board established under this Law ;

"the Minister" means the Minister for the time being charged, in pursuance of the Federation of Nigeria (Constitution) Order in Council, 1954, with responsibility for the exercise of the powers and performance of the duties vested in the Minister by this Law ;

"produce" means the produce mentioned in the Schedule to this Law or any derivative thereof and such other produce as may from time to time be added to the Schedule by order of the Lieutenant-Governor in Council ;

"producer" means a person engaged in the cultivation or collection or preparation of produce ;

"purchase" with its grammatical variations and cognate expressions includes exchange or barter and any agreement or contract to purchase, exchange or barter ;

"Representative Committee" means the "Cocoa Representative Committee", or the "Oil Palm Produce Representative Committee" or the "Cotton Representative Committee" established under section 29 of this Law or any two or all of such bodies ;

"sell" with its grammatical variations and cognate expressions includes exchange or barter and any agreement or contract to sell, exchange or barter.

PART II.—ESTABLISHMENT AND CONSTITUTION OF THE MARKETING BOARD

Establishment of the Western Region Marketing Board.

3. (i) So soon as may be after the coming into operation of this Law, there shall be established for the purposes thereof a Marketing Board to be known as the Western Region Marketing Board, which shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name.

(ii) The Marketing Board shall consist of a Chairman and eight members, one of whom shall be a representative of the Ministry of Finance and all of whom shall be appointed as such by the Minister with the prior approval of the Lieutenant-Governor in Council.

(iii) The Minister may appoint a person to be a member of the Marketing Board by name, or, in the case of an official member, by designating the office of which he is the holder.

(iv) It shall be lawful for the Secretary of the Central Marketing Board to attend all meetings of the Marketing Board :

Provided that the said Secretary shall not have a deliberative voice but may give such information as may be required by the Marketing Board.

4. The Chairman and other members shall, subject to the pleasure of the Lieutenant-Governor in Council, hold office for five years and three years respectively from the date of their first appointment but shall be eligible for re-appointment.

5. (1) When the Chairman is temporarily absent from Nigeria or otherwise is temporarily incapacitated from performing the functions of his office, the Minister may appoint a person, whether or not such person is a member of the Marketing Board, to be Chairman during such period of absence or incapacity. Temporary absence of Chairman.

(2) Upon any temporary appointment being made under the provisions of sub-section (1), all the powers and duties of the Chairman under this Law shall devolve upon the person so temporarily appointed.

6. When a member of the Marketing Board is temporarily incapacitated from performing his functions as a member by reason of his temporary absence from Nigeria or for any other good cause, the Minister may appoint a person temporarily to be a member during such period of incapacity, and during such period all the powers and duties of the member so temporarily incapacitated shall devolve upon the member so temporarily appointed. Temporary absence of a member.

7. Where upon any special occasion the Marketing Board desires to obtain the advice of any person upon any particular matter, the Marketing Board may co-opt such person to be a member for such meeting or meetings as may be required, and such person, while so co-opted shall have all the rights and privileges of a member save that he shall not be entitled to vote upon any question. Power to co-opt.

8. The Chairman duly appointed under the provisions of this Law shall have an original vote and, where the votes are equally divided, a casting vote in addition to his original vote. Chairman to have original and casting vote.

9. At a meeting of the Marketing Board four members and the Chairman shall be a quorum. Quorum.

10. The Marketing Board shall meet at least twice in each year and at such other times as may be required by Standing Orders made under section 14. Meetings.

11. (1) Any two members of the Marketing Board may, by notice in writing signed by them, request the Chairman to call a special meeting of the Marketing Board for the purposes set out in such notice. Special Meetings.

(2) A Representative Committee may, by a resolution signed by the majority of its members, request the Chairman to call a special meeting of the Marketing Board for the purposes set out in that resolution.

(3) The Chairman shall, upon receipt of any such notice or resolution, summon a special meeting of the Marketing Board for such purposes at the earliest convenient date.

12. (1) The Minister after the prior approval of the Governor in Council shall appoint by name or office a Secretary to the Marketing Board who shall conduct the correspondence and keep the records thereof and perform such other duties as the Marketing Board may from time to time direct or which are placed upon him under the provisions of this Law or any other written law. Secretary to the Marketing Board.

(2) The Secretary shall be an officer, but not a member, of the Marketing Board.

Delegation of powers and appointment of agents.

13. (1) The Marketing Board may, with the approval of the Minister—

(a) by the majority vote of all its members delegate to the Chairman the routine administration of the affairs of the Board ;

(b) from time to time, in like manner, appoint agents to perform any of the powers or duties conferred or imposed upon the Marketing Board, and for the purposes of this paragraph the term "agent" shall include a department of the Government or a Native Authority or group of Native Authorities or a Local Government Council.

(2) Nothing contained in this section shall be deemed to authorise the Marketing Board to delegate to the Chairman the power to make Standing Orders or to do any act involving extraordinary expenditure or to fix or control the price of produce subject to this Law or to authorise any agent to exercise any power or duty outside the scope of the written appointment of such agent.

Standing Orders.

14. The Marketing Board may, with the approval of the Lieutenant-Governor in Council, from time to time make Standing Orders providing for the proper conduct of its business and for meetings of the Board and in particular for—

(a) the custody and use of the common seal ; and

(b) the method of entering into contracts and the execution thereof, and the signing of cheques and other similar instruments.

PART III.—FUNCTIONS, POWERS AND DUTIES OF THE MARKETING BOARD

General functions of the Marketing Board.

15. (1) It shall be the duty of the Marketing Board to secure the most favourable arrangements for the purchase for export and sale of the produce subject to this Law, and, by means of its allocation of funds to the Western Region Production Development Board and as otherwise provided under sections 16 and 25, to promote the development of the producing industries concerned and the benefit and prosperity of the people of the Western Region.

(2) Subject to any directions or instructions that may be issued by or on behalf of the Central Marketing Board the Marketing Board shall be responsible for evacuating all produce purchased in the Region to the port of shipment.

(3) After consultation by the Minister with the Marketing Board the Lieutenant-Governor in Council may give to the Marketing Board directions of a general character as to the exercise and performance of their powers and duties in relation to matters appearing to the Lieutenant-Governor in Council to concern the public interest and the Board shall give effect to any such directions.

(4) The Minister may, after consultation with the Marketing Board and with the prior approval of the Lieutenant-Governor in Council, give directions of a general or specific character as to the manner of use or management of the funds of the Marketing Board and the Marketing Board shall comply with such directions.

16. In particular, and without prejudice to the generality of the provisions of section 15, the Marketing Board shall have power— Specific powers of the Board.

(a) subject to the approval of the Minister and with the prior concurrence of the Governor in Council to control and fix the prices to be paid from time to time for produce subject to the provisions of this Law which is to be exported, or sold under the provisions of section 37 or for any grade of such produce at any place or within any specified area in the Western Region, and similarly to notify such prices in such manner as the Marketing Board may deem requisite ;

(b) to purchase produce subject to this Law for export and for sale under section 37 and to do all things necessary for and in connection with the purchase of such produce ;

(c) to appoint licensed buying agents for the purchase of produce subject to this Law for export, and for sale under section 37 by the Marketing Board, and to appoint licensed ginning agents for cotton ;

(d) to control and fix the prices to be paid from time to time to licensed buying agents for the produce which they purchase ;

(e) to control and fix the payment to be made to licensed ginning agents for ginning ;

(f) to grant, renew or withhold licences for each crop year in respect of licensed buying agents, to impose conditions upon the grant or renewal of such licences in respect of the area in which the produce is to be purchased or sold or otherwise disposed of, and to cancel or suspend any licence for a breach of any such condition or for other good cause ;

(g) to grant, renew or withhold licenses for ginning for such period as the Marketing Board may fix ;

(h) to grant, withhold or cancel in its absolute discretion any written authority or direction given under section 37 ;

(i) to do all things necessary for and in connection with the cleansing, packing, storing for evacuation to ports and transporting of produce ;

(j) subject to any Federal law to do all things necessary for and in connection with the Marketing, and export or storing for export of produce ;

(k) to consider such advice as may be tendered to it from time to time by the Central Marketing Board on the following matters :—

(i) Price fixing, price support and stabilisation, particularly for crops produced on a considerable scale in more than one Region.

(ii) Appointment of buying agents and their terms and conditions of appointment.

(iii) Appointment of cotton ginning agents and their terms and conditions of appointment.

(iv) Local processing of commodities.

(v) Research and development.

(vi) Pest control.

(vii) Any other matters which a Regional Marketing Board may refer to it.

(l) to exercise such powers in accordance with the provisions of this Law as may be vested in it by the Federal Legislature ;

(m) to apply its funds to the purposes prescribed by section 25.

(n) to prescribe specific periods during which the buying for export of produce subject to the provisions of this Law shall be prohibited, restricted or allowed.

Marketing Board to purchase all produce for export offered for sale.

17. The Marketing Board shall purchase all produce subject to this Law which is suitable for export and offered for sale to it.

Power of Marketing Board to enter into arrangements.

18. The Marketing Board may, from time to time, enter into any arrangement with the Central Marketing Board, for or in connection with the Marketing, storing for export, exporting, shipping and sale of produce under this Law.

Marketing Board to consult Representative Committee.

19. The Marketing Board shall seek the advice of the appropriate Representative Committee on all matters in connection with the purchase of produce subject to this Law.

Annual report and statement of accounts.

20. (1) The Marketing Board shall keep a separate account for each commodity it handles and the reserves or funds in the account of any such commodity shall not be used to pay for or in connection with the purchase, processing, transporting, storing, or cleaning of any other commodity ;

(2) As soon as may be after the thirtieth day of September in each year, the Marketing Board shall prepare a report of its operations during the preceding year, and shall forward such report to the Lieutenant-Governor in Council, together with a certified copy of the audited accounts of the Marketing Board ;

(3) The annual report and certified copy of the audited accounts of the Marketing Board, together with the auditor's report, shall be published in such manner as the Minister may direct and shall be laid upon the table of the Western House of Assembly and upon the table of the Western House of Chiefs also.

PART IV.—FINANCIAL PROVISIONS RELATING TO THE MARKETING BOARD

Power of Marketing Board to acquire real and personal property and to contract.

21. The Marketing Board shall have power to acquire and to hold, manage and dispose of property for the purposes of its functions under this or any other Law and may enter into any contract.

22. (1) Moneys standing to the credit of the Marketing Board may, from time to time, be invested in securities approved either generally or specifically by the Minister, and the Board may, from time to time, with like approval, sell any or all of such securities.

(2) (a) It shall be lawful for the Marketing Board to make and for the Government to receive loans out of moneys standing to the credit of the Board upon such terms as may be agreed by and between the Board and the Government.

(b) An agreement for a loan made pursuant to the provisions of paragraph (2) (a) shall be of no force or effect whatsoever until the terms hereof have been approved by the Lieutenant-Governor in Council.

23. The Marketing Board shall have power for the purpose of crop purchase to make short term loans to any other Marketing Board established or to be established in Nigeria by any Federal or Regional Law. Short term loans to other Marketing Boards.

24. The Marketing Board may, with the approval of the Minister from time to time borrow, whether by way of mortgage or otherwise, such sum of money for and in connection with the exercise of its functions, powers and duties under this Law as the Marketing Board may deem necessary. Power to borrow.

25. The funds and resources of the Marketing Board shall be— Funds of the Marketing Board.

(a) such sums as may, from time to time, be paid to the Marketing Board by the Nigeria Cocoa Marketing Board, the Nigeria Oil Palm Produce Marketing Board and the Nigeria Cotton Marketing Board ;

(b) such sums as may be appropriated, from time to time, to the Board by any vote of the Western House of Assembly or by any resolution of the Western House of Assembly allotting moneys under the provisions of any written law ;

(c) moneys derived from the sale of produce subject to this Law ;

(d) moneys earned or arising from any property and investments acquired by or vested in the Marketing Board ;

(e) moneys raised by loan under the powers to borrow vested in the Marketing Board by this Law ;

(f) all other sums or property which may in any manner, become payable to or vested in the Marketing Board in respect of any matter incidental to its functions, powers and duties.

26. (1) The Marketing Board may, from time to time, apply the funds at its disposal— Expenditure.

(a) to or in connection with the purchase of produce subject to this Law ;

(b) for and in connection with all or any of its functions, powers and duties under the provisions of this Law ;

(c) to the cost of administration of the Marketing Board ;

(d) to the remuneration, honoraria and expenses of the members of the Marketing Board or of any class of member in respect of their duties under this Law ;

(e) to the cost of the administration of a Representative Committee and the remuneration, honoraria and expenses of its members or any class of member in respect of their duties under this Law ;

(f) to the payment of the salaries, allowances, gratuities or pensions of the servants of the Board ;

(g) to the interest payable in respect of any moneys borrowed under the provisions of this Law ;

(h) to the stabilisation of prices to the producers as required and as far as possible ;

(i) to the cost of scientific research into all matters affecting production of produce subject to this Law ;

(j) to grants to the Western Region Production Development Board ;

(k) to the rehabilitation of any produce or area of production ;

(l) to the control of pests.

(2) The Marketing Board may, with the approval of the Lieutenant-Governor in Council, from time to time, make grants from the funds at its disposal, to any institution, society or scheme whatsoever which in the opinion of the Board is likely to be of benefit to the people of the Western Region.

Servants of
the
Marketing
Board.

27. The Marketing Board may, with the approval of the Minister—

(a) from time to time appoint, upon such salaries, terms and conditions as it may think fit, such officers and employees as may be necessary for the proper and efficient conduct of the operations of the Marketing Board ;

(b) grant pensions, gratuities, or retiring allowances to any officer or employee and may require officers and employees to contribute to any pension or contributory scheme.

Accounts
and audit.

28. (1) The Marketing Board shall keep accounts of its transactions to the satisfaction of the Minister, and the accounts for each crop year in the case of seasonal crops and for the year ending on the 30th day of September in the case of palm oil and palm kernels shall be audited by the Audit Department of Government or by a person appointed by the Minister with the prior approval of the Lieutenant-Governor in Council.

(2) The remuneration of the auditor shall be determined by the Minister and shall be paid out of the funds of the Marketing Board.

Bad debts.

29. The Board may, with the approval of the Minister, write off bad debts.

PART V.—REPRESENTATIVE COMMITTEES

Establish-
ment and
composition
of Represent-
ative
Committees.

30. (1) There shall be established a committee to be known as the Cocoa Representative Committee and a committee known as the Oil Palm Produce Representative Committee.

(2) Each committee shall consist of :—

(a) a Chairman to be appointed by the Minister by name or office ;

(b) two official members to be appointed by the Minister by name or office ;

(c) one representative of the licensed buying agents to be appointed by the Minister ;

(d) two members, who shall be members of the Marketing Board, to be appointed by the Marketing Board ;

(e) six unofficial members who shall be appointed by the Minister with the prior approval of the Lieutenant-Governor in Council.

(3) There shall be established a committee, to be known as the Cotton Representative Committee which shall consist of :—

(a) a Chairman to be appointed by the Minister by name or office ;

(b) one official member to be appointed by the Minister by name or office ;

(c) one member, who shall be a member of the Marketing Board, to be appointed by the Marketing Board ;

(d) three unofficial members who shall be appointed by the Minister with the prior approval of the Governor in Council.

31. The Minister may appoint a person, by name or office, to be Secretary to a Representative Committee.

Secretary to the Representative Committee.

32. The Chairman and members of a Representative Committee shall hold office for three years from the dates of their respective appointments at the pleasure of the Minister.

Term of office.

33. When the Chairman or member of a Representative Committee is temporarily absent from Nigeria or otherwise temporarily incapacitated from performing the functions of his office, the provisions of section 5 or section 6 as the case may be, shall apply *mutatis mutandis*.

Vacancies.

34. The Chairman duly appointed under the provisions of this Law shall have an original vote and, where the votes are equally divided, a casting vote in addition to his original vote.

Chairman to have original and casting vote.

35. (1) At a meeting of the Cocoa Representative Committee or the Oil Palm Produce Representative Committee, the Chairman and six members shall be a quorum.

Quorum.

(2) At a meeting of the Cotton Representative Committee, the Chairman and three members shall be a quorum.

36. (1) It shall be the duty of a Representative Committee from time to time as may be required—

Duties of Representative Committees.

(a) to advise the Marketing Board on all matters in connection with the purchase of produce subject to this Law.

(b) to advise the Regional Development Board, as and when required by the said Board on all matters connected with the development of the producing industries concerned and on any scheme for the development of such industries or for the benefit and prosperity of the producers or of the areas of production.

(2) A Representative Committee may tender advice to the Marketing Board and to the Western Region Production Development Board, on any matter relating to the exercise by those bodies of their functions, powers and duties without any specific reference being made to it by the Marketing Board or the Western Region Production Development Board.

Standing
Orders.

37. A Representative Committee may, with the approval of the Minister, from time to time make Standing Orders providing for :—

- (a) the proper conduct of its business ;
- (b) the meetings of the Representative Committee ; and
- (c) the expenses of members attending meetings of the Representative Committee.

PART VI.—CONDITIONS OF EXPORT AND PURCHASE FOR LOCAL PROCESSING

Local
Processing.

38. (1) The Marketing Board may direct that any produce subject to this Law which is purchased in the Region for mechanised processing in Nigeria shall be purchased from the Marketing Board on such terms and conditions as the Board may from time to time apply.

(2) The Marketing Board may purchase, on such terms and conditions as the Board may from time to time apply, any product resulting from the local processing of produce subject to this Law offered for sale to the Board.

(3) The Marketing Board may without prejudice to the generality of the provisions of section 15 do all things necessary for and in connection with the cleaning of, packing, storing for evacuation to ports and transporting of any produce resulting from the local processing of produce subject to this Law.

(4) The Marketing Board may from time to time enter into any arrangements with the Central Marketing Board for or in connection with the storing for export, exporting, shipping and sale of any product resulting from the local processing of produce subject to this Law.

(5) The Marketing Board may enter into any agreement with the Central Marketing Board on the terms and conditions on which the Central Marketing Board may authorise the export of any product resulting from the local processing in Nigeria of any produce subject to this Law.

(6) Any person who acts contrary to a direction given by the Board under sub-section (1) of this section shall be guilty of an offence and shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding four years or to both such fine and imprison-

ment, and for a second or subsequent offence to a fine not exceeding £5,000 or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

PART VII.—OFFENCES

39. Any person who falsely holds himself out or represents himself to be a licensed buying agent or a person acting on the authority or instruction of the Marketing Board shall be guilty of an offence and on conviction liable to a fine of £500 or to imprisonment for a term of two years or to both such fine and imprisonment. False representation.

40. Where an offence against this Law is committed by a body corporate and such offence has been committed on the direction of or with the consent or approval of any director, manager, secretary or other officer of such body corporate, that individual, as well as such body corporate, shall be guilty of that offence and may be proceeded against, and if convicted, be punished accordingly. Special provision as to directors.

PART VIII.—GENERAL

41. Where the Marketing Board ceases for any reason to exercise its functions under this Law whether by reason of the repeal of this Law or otherwise, the funds of the Marketing Board shall be allocated for the benefit of the Western Region and shall be disposed of in such manner as the Legislature of the Western Region may by resolution direct. Control of funds of the Board on dissolution.

42. (1) Any person aggrieved by the refusal of the Marketing Board to grant or renew a buying Agent's licence or by any condition imposed by the Board in connection with such licence or by any direction or decision given or made under section 38 may within thirty days appeal in writing to the Minister. Appeals.

(2) The Minister after considering the appeal shall make such decision as he deems fit and the Board shall comply therewith.

(3) The decision of the Minister on such appeal shall be final and shall not be challenged in any Court.

43. The Minister may make regulations generally for carrying into effect the provisions of this Law and, in particular and without prejudice to the generality of the foregoing— Regulations.

(a) for the licensing of buying agents and for fees to be paid in connection therewith.

(b) for the duties, functions and responsibilities of licensed buying agents.

(c) for the keeping of books and accounts by such agents.

(d) for the appointment and duties of inspectors to examine such books and accounts.

(e) for the submission of returns by the agents and other persons.

(f) for the establishment of buying centres.

(g) for the imposition of penalties in respect of contravention of any regulations made under the provisions of this section to a limit of a fine not exceeding £100 or imprisonment for a term not exceeding six months, or to both such fine and imprisonment and for a second or subsequent offence to a limit of a fine not exceeding £500 or imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

44. The Lieutenant-Governor in Council may by Order vary the Schedule to this Law.

SCHEDULE

Cocoa
Palm Oil

Palm Kernels
Seed Cotton

Objects and Reasons

1. The reason for this Bill is the decision taken at the Conference on the Nigerian Constitution to establish a separate all purpose Marketing Board in each Region. Legislation is to be introduced in the House of Representatives in due course to establish a Central Marketing Board which will be complementary to the new Regional Marketing Boards.

2. The Bill establishes a Marketing Board in the Western Region consisting of a Chairman and eight members.

3. Clauses 3 to 14 deal with the establishment and constitution of the Board.

4. Clauses 15 to 20 deal with the functions of the Board.

5. Clauses 21 to 29 are concerned with the financial provisions relating to the Board.

6. Clause 30 establishes two Representative Committees—one for cocoa and the other for palm oil—whose duties will be, *inter alia*, to advise the Board on all matters in connection with the purchase of produce which is subject to this Law, such produce being the produce mentioned in the Schedule to this Law.

7. Power is given to the Lieutenant-Governor in Council to vary the Schedule. (Clause 44).

R. D. LLOYD,
Acting Legal Secretary

Legal Secretary's Chambers,
Ibadan, 12th August, 1954.

The following Bill, which will in due course be presented to the Regional Legislature for enactment, is published for general information.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

Ibadan, 13th August, 1954.

A BILL

FOR

A LAW TO APPROPRIATE THE SUM OF ELEVEN MILLION EIGHT HUNDRED AND NINETY-FIVE THOUSAND, FIVE HUNDRED AND EIGHTY POUNDS TO THE SERVICE OF THE WESTERN REGION FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-FIVE.

[, 1954] Date of
commence-
ment.

WHEREAS it is necessary with a view to the coming into operation of the Federation of Nigeria (Constitution) Order in Council, 1954, to vary the amounts already authorised to be expended by virtue of the 1954-55 Appropriation Law, 1954. Preamble.

AND WHEREAS authority is required to vary the services on which such expenditure will be necessary.

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

1. This Law may be cited as the 1954-55 (Supplementary) Appropriation Law, 1954. Short title.

2. The Regional Treasurer may, on the warrant of the Lieutenant-Governor, pay out of the revenue and other funds of the Western Region during the year ending on the 31st day of March, 1955, any sums not exceeding in the whole the revised sum of eleven million eight hundred and ninety-five thousand, five hundred and eighty pounds being the total of the revised amounts set forth opposite Heads 301 to 343 in the Schedule hereto. Expenditure of £11,895,580 authorised out of the revenue and funds of the Western Region. Schedule.

3. The said sums, in the whole not exceeding the sum of eleven million eight hundred and ninety-five thousand, five hundred and eighty pounds, shall be appropriated to the purposes and in the manner expressed in the Schedule hereto. Appropriation of £11,895,580.

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, 1955, 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. Balance unissued to lapse.

SCHEDULE

	£
301. The Governor	24,230
302. Executive	13,210
303. Ministry of Agriculture and Natural Resources	12,840
304. Agriculture	320,810
305. Forestry	117,080
306. Veterinary	42,370
307. Civil Secretary's Office	18,030
308. Administration	339,150
309. Police	348,180
310. Printing and Stationery	106,290
311. Public Relations	77,170
312. Ministry of Education	14,440
313. Education	3,645,510
314. Ministry of Finance	23,690
315. Treasury	59,050
316. Ministry of Public Health	10,360
317. Medical Services	984,330
318. Ministry of Lands	10,670
319. Land	44,190
320. Survey	99,870
321. Ministry of Local Development	13,020
322. Co-operative Societies	46,690
323. Social Welfare	28,950
324. Ministry of Local Government	26,570
325. Ministry of Public Works	11,650
326. Public Works	361,480
327. Public Works Recurrent : Maintenance Works	471,210
328. Public Works Recurrent : Maintenance Services	32,070
329. Public Works Extraordinary	1,697,360
330. Legislature	72,930
331. Miscellaneous	1,940,610
332. Public Debt Charges	60,000
333. Subventions	595,630
334. Premier's Office	12,510
335. Audit	16,330
336. Produce Inspection	68,700
337. Ministry of Justice	5,320
338. Legal	8,660
339. Judicial	51,190
340. Public Service Commission	29,820
341. Pensions and Gratuities	1,300
342. Industries	22,610
343. Western Region London Office	9,500
	£11,895,580

Objects and Reasons

Due to the fact that the Federation of Nigeria Order in Council, 1954, will shortly come into force, it has become necessary to provide for the service of the Western Region for the second half of the financial year amounts which vary from those already authorised by the provisions of the 1954-55 Appropriation Law, 1954, because the Western Region will undertake some new services and will hand over others to the Federal Government.

R. D. LLOYD,
Acting Legal Secretary

Legal Secretary's Chambers,
Ibadan, Nigeria, 12th August, 1954.



Supplement to the Western Regional Gazette Extraordinary No. 38, Vol. 3, 17th Sept., 1954
—Part B

W.R.L.N. 105 of 1954

PROCLAMATION

(under THE NIGERIA (CONSTITUTION) ORDER IN COUNCIL, 1951)

WESTERN HOUSE OF CHIEFS



By His Honour, ARTHUR GEORGE RIXSON MOORING,
Officer Administering the Government of the Western
Region of Nigeria.

A. G. R. MOORING
*Officer Administering the
Government of the Western
Region of Nigeria*

WHEREAS by an Order in Council bearing the date the twenty-ninth day of June, 1951, known as the Nigeria (Constitution) Order in Council, 1951, provision was made for the establishment in and for the Western Region of Nigeria of a House of Chiefs to be styled the Western House of Chiefs :

AND WHEREAS by the same Order in Council, it was among other things provided that the Lieutenant-Governor might at any time by Proclamation published in the official Gazette of the Region, prorogue the Legislative Houses of the Region, or either of them :

AND WHEREAS by Proclamation dated the 11th day of December, 1952, the Lieutenant-Governor did appoint the 16th day of February, 1953, at 10 a.m. to be the time of commencement of the Second Session of the Western House of Chiefs :

AND WHEREAS it is desirable that the Western House of Chiefs should be prorogued :

NOW THEREFORE, I, ARTHUR GEORGE RIXSON MOORING, Officer Administering the Government of the Western Region of Nigeria, do hereby prorogue the Western House of Chiefs.

GIVEN under my hand and the Public Seal of the Western Region of Nigeria, this fifteenth day of September, one thousand nine hundred and fifty-four.

W.R.L.N. No. 106 of 1954

PROCLAMATION

(under THE NIGERIA (CONSTITUTION) ORDER IN COUNCIL, 1951)

WESTERN HOUSE OF ASSEMBLY



By His Honour, ARTHUR GEORGE RIXSON MOORING,
Officer Administering the Government of the Western
Region of Nigeria.

A. G. R. MOORING
*Officer Administering the
Government of the Western
Region of Nigeria*

WHEREAS by an Order in Council bearing the date the twenty-ninth day of June, 1951, known as the Nigeria (Constitution) Order in Council, 1951, provision was made for the establishment in and for the Western Region of Nigeria of a House of Assembly to be styled the Western House of Assembly :

AND WHEREAS by the same Order in Council, it was among other things provided that the Lieutenant-Governor might at any time by Proclamation published in the official Gazette of the Region, prorogue the Legislative Houses of the Region, or either of them :

AND WHEREAS by Proclamation dated the 11th day of December, 1952, the Lieutenant-Governor did appoint the 19th day of January, 1953, at 10 a.m. to be the time of commencement of the Second Session of the Western House of Assembly :

AND WHEREAS it is desirable that the Western House of Assembly should be prorogued :

NOW THEREFORE, I, ARTHUR GEORGE RIXSON MOORING, Officer Administering the Government of the Western Region of Nigeria, do hereby prorogue the Western House of Assembly.

GIVEN under my hand and the Public Seal of the Western Region of Nigeria, this fifteenth day of September, one thousand nine hundred and fifty-four.

Assented to in Her Majesty's name this 21st day of September, 1954.

A. G. R. MOORING,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 7



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

ARTHUR GEORGE RIXSON MOORING
Officer Administering the Government of the Western Region

A LAW TO ESTABLISH A VALUATION COURT TO HEAR APPEALS Title.
RELATING TO THE VALUATION OF PREMISES FOR RATING
PURPOSES, AND FOR PURPOSES CONNECTED THEREWITH.

[23rd September, 1954.]

Date of
commence-
ment.

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

1. (1) This Law may be cited as the Assessment Law, 1954. Short title
and
application.
- (2) The provisions of this Law shall apply to the town of Lagos and to such other places in the Region to which the Ordinance applies on the date on which this Law comes into operation.
- (3) The Lieutenant-Governor in Council may by order direct that this Law shall apply to any other place in the Region.

Interpretation.

2. (1) Definitions :—

“appraiser” means a person appointed in accordance with section 4 of the Ordinance ;

“the Ordinance” means the Assessment Ordinance ;

“the Region” means the Western Region.

(2) In this Law “owner”, “occupier”, “prescribed officer” and “tenement” have the respective meanings assigned to them in the Ordinance.

Transfer of jurisdiction of assessment committee.

3. (1) Objections to assessments and to re-assessments and to valuation lists in respect of tenements in places to which this Law applies, instead of being heard and determined in the manner in accordance with the conditions and subject to the rights of appeal specified in the Ordinance shall be heard and determined in the manner in accordance with the conditions and subject to the rights of appeal specified in this Law.

(2) Assessment Committees shall cease to exist in any place to which this Law is applied in accordance with sub-sections (2) and (3) of section 1.

Establishment and constitution of Valuation Court.

4. (1) A Valuation Court constituted as hereinafter provided shall be convened as often as may be necessary for the purpose of hearing and determining objections to assessments and re-assessments and to Valuation Lists in respect of tenements in places to which this Law applies.

(2) Subject to the provisions of this Law the court shall consist of the following members—

(a) a President ;

(b) a Vice-President ;

(c) not less than two nor more than six members of the Valuation Panel selected by the President in accordance with this section.

(3) The Lieutenant-Governor may appoint persons to be President and Vice-President of the Valuation Court.

(4) In the case of the temporary absence or inability of the President the Lieutenant-Governor may appoint the Vice-President to act as President and when so acting he shall have all the powers and functions of the President.

(5) The President may select from amongst the members of the Valuation Panel persons to be members of the Valuation Court to deal with a particular case or class or group of cases.

5. (1) There shall be a Valuation Panel which shall consist of twenty-four members.

Establishment and composition of Valuation Panel.

(2) The members of the Valuation Panel shall be appointed by the Lieutenant-Governor and shall hold office at his pleasure.

6. (1) The Lieutenant-Governor may appoint a public officer to be Clerk of the Valuation Court.

Staff and expenses of Valuation Court.

(2) The expenses of the Valuation Court including the salaries of the President and Vice-President shall be defrayed out of money provided by the Government of the Region.

7. (1) The jurisdiction of the Valuation Court may be exercised by the President and any two or more members selected in accordance with sub-section (5) of section 4.

Quorum and voting.

(2) The President shall preside at the sittings of the Valuation Court.

(3) A decision shall be taken, in the event of a difference between the members hearing the case, by the votes of the majority and in the event of an equality of votes, the President shall be entitled to a second or casting vote.

8. (1) Any owner or occupier who is dissatisfied with any assessment appearing in a valuation list may lodge with the appraiser a notice of objection to such assessment.

Objections to a first or any subsequent general assessment or to an annual valuation list

(2) The appraiser shall not accept such a notice of objection unless :—

(a) it is lodged within the period during which the valuation list is open for public inspection as provided in sections 18 and 19 of the Ordinance ;

(b) it is in writing and states fully the grounds upon which it is made and specifies the precise amendments desired to remove the objection, stating where the objection relates in any way to the amount of an assessment, the value or values claimed to represent the correct assessment ; and

(c) the person objecting complies with the regulations relating to objections made under this Law which are for the time being in force.

(3) After the expiration of the period limited for the lodging of notices of objection provided by sub-section 2 (a) the appraiser shall as soon as practicable consider all objections and may make such alterations to the valuation list as he thinks proper, for the purpose of meeting such objections.

(4) After the appraiser shall have considered all objections made in pursuance of sub-section (2) he shall cause to be served on the persons who made the objections notices stating whether he has made any and if so what alterations in the list with respect to the tenements to which the objections relate.

(5) Where the appraiser makes any alteration in pursuance of sub-section (3) he shall cause to be served on the prescribed officer for the place where the tenement is situate a notice stating the alteration made.

(6) Any person on whom a notice is served under sub-section (4) may, by notice of appeal served on the appraiser, appeal to the Valuation Court with respect to the tenement in question.

(7) A notice of appeal shall be in writing and shall be served before the expiration of the twenty-one days following that of the service on him of the notice specified in sub-section (4) and shall contain a statement of the grounds of appeal.

(8) The appraiser shall, within seven days after the date on which notice of appeal is served upon him under sub-section (6) transmit a copy thereof to each of the following persons, that is to say :—

(a) to the clerk to the Valuation Court ; and

(b) to the prescribed officer for the place where the tenement is situate.

Object.ons
to assess-
ments or re-
assessments
made under
section 9
(4) of
Ordinance.
Cap. 16.

9. (1) Any owner or occupier who may be dissatisfied with a re-assessment or assessment made under the provisions of sub-section (4) of section 9 of the Ordinance or with the date from which it is intended to operate may lodge a notice of objection as provided in sub-section (2) of section 8 within twenty-one days of the service upon him of the notice of re-assessment or assessment.

(2) The appraiser shall within twenty-eight days from the date on which the notice of objection is served on him, serve on the person making the objection a notice stating whether he has made any if so what alteration to the assessment of the tenement to which the objection relates.

(3) Where the appraiser makes any alteration in pursuance of sub-section (2) he shall cause to be served on the prescribed officer for the place where the tenement is situate a notice stating the alteration made.

(4) Any person on whom a notice is served under sub-section (2) may by notice of appeal served on the appraiser appeal to the Valuation Court in a manner similar to that provided by sub-sections (7) and (8) of section 8.

10. (1) If the President is of the opinion that the evidence of any person or the production of any document is necessary for the purposes of the hearing of any objection, he may issue a summons under his hand directing the person therein named to attend at the time and place therein mentioned to give evidence or produce the documents therein specified or to do both.

Power to
issue
summons.

(2) The Sheriff shall at the request of the President detail a bailiff or other officer for the service of summons under this section.

11. If any person upon whom a summons has been served under the provisions of the last preceding section refuses or omits without sufficient cause to attend at the time and place mentioned in the summons, or refuses without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief all questions put to him by or with the concurrence of the Valuation Court, or refuses or omits without sufficient cause to produce any documents in his possession or under his control which are mentioned in the summons, he shall be liable on conviction to a fine not exceeding fifty pounds :

Disobedience
to summons
and refusal
to give
evidence
punishable.

Provided that no person giving evidence before the Valuation Court 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 Supreme Court is entitled in respect of evidence given by him or a document he is required to produce before such court.

12. The Valuation Court may require any person appearing before it to give his evidence on oath, and the President is hereby empowered to administer oaths for that purpose.

Court may
require
evidence on
oath.

13. (1) Where notice of appeal is received under the foregoing provisions of this Law by the Clerk of the Valuation Court, it shall be the duty of the President to arrange for the convening of such court at such time and place as he may determine.

Procedure
before
Valuation
Court.

(2) The procedure of the Valuation Court shall, subject to such regulations, if any, as may be made by the Lieutenant-Governor in that behalf, be determined by the Court.

(3) The Valuation Court shall, unless it otherwise orders upon being satisfied that the interests of any party would be prejudicially affected, sit in public.

(4) On the hearing of an appeal—

(a) the person making the appeal; and

(b) the prescribed officer of the place in which the tenement to which the appeal relates is situate; and

(c) the appraiser of the place in which the tenement is situate, shall be entitled to appear and be represented by a Law Officer, Crown Counsel or by any Legal Practitioner and be heard as parties to the objection and to examine any witnesses before the Court and to call witnesses.

(5) After hearing the persons mentioned in the last preceding sub-section, or such of them as desire to be heard, the Valuation Court shall give such directions with respect to the matter in which the tenement in question is to be treated in the Valuation List as appear to them to be necessary to give effect to the contention of the person objecting, if and so far as that contention appears to the court to be well founded.

(6) Where a direction is given under sub-section (5) the clerk of the Valuation Court shall cause a copy of the minutes of the proceedings containing such direction to be served on the prescribed officer who shall make such alteration to the Valuation List as are necessary to give effect to that direction.

(7) The Valuation Court may, subject to any regulation made by the Lieutenant-Governor in Council, order that the costs of any proceedings before it incurred by any party shall be paid by any other party and may settle the amount of any costs to be paid under any such order and such costs may be recoverable from the party against whom the order is made as a civil debt.

14. Any person who in pursuance of the last preceding section, appeared before the Valuation Court at the hearing of an appeal and is aggrieved by the decision of the court thereon may appeal to the Supreme Court subject to the following conditions—

(a) the appellant shall within fourteen days after the decision of the Valuation Court give notice in writing to the Clerk of the Valuation Court of his intention to appeal and of the grounds thereof; and

(b) the appellant shall within the like period enter into a recognisance before a judge of the Supreme Court or a magistrate with two sufficient sureties, conditioned to pay any costs which may be awarded against him on such appeal.

15. Minutes of the proceedings of the Valuation Court shall be kept in books provided for that purpose and shall be signed by the President at or not later than two days after the date of the sitting of the court to which the minute relates and any such minute shall be received in evidence without further proof.

Right of
appeal.

Minutes to
be evidence.

16. The Lieutenant-Governor in Council may make regulations for all or any of the following purposes—

Power to
make
regulations.

(a) for regulating the practice and procedure relating to objections and appeals and the practice and procedure of the Valuation Court, including all matters connected with the forms to be used and the fees to be payable;

(b) for regulating any matter relating to the costs of proceedings in the Valuation Court; and

(c) generally for the better carrying out of the provisions of this Law.

17. The Chief Justice may, with the approval of the Lieutenant-Governor, make rules as to—

Power to
make rules.

(a) the practice and procedure on appeal under section 14;

(b) the forms to be used and the fees to be paid on such appeals; and

(c) generally for the purposes of appeals under section 14.

18. The Lieutenant-Governor shall not be obliged to consult with the Executive Council of the Region in the exercise of any of the powers conferred upon him by sub-sections (3) and (4) of section 4 and sub-section (1) of section 6.

Exercise of
Lieutenant-
Governor's
powers.

19. Where an assessment committee ceases to exist by virtue of the provisions of this Law all proceedings commenced or taken before it in accordance with the provisions of the Ordinance in respect of any objection pending at the date of its abolition shall be as valid and effectual as though they had been commenced or taken in accordance with the provisions of this Law and such proceedings shall continue before the Valuation Court in accordance with the provisions of this Law.

Savings.

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.

W. A. SALAMI,

Acting Clerk of the Western House of Assembly



W.R.L.N. 107 of 1954*DIRECTION under section 221 of THE WESTERN REGION
LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)*

In exercise of the powers conferred upon the Regional Authority by section 221 of the Western Region Local Government Law, 1952, which powers have been delegated to me under W.R.L.N. 14 of 1954, I hereby direct and declare that all sums of money, streets, open places, lands, buildings, waterworks, bridges, piers, ferries, vehicles, goods and all other property whatsoever, belonging to, held by, or purporting to belong to or to be held by the native authorities set out in column (1) below have, as from the dates set out against each native authority in column (3) below been assigned and transferred to, and are vested in, the council set out against the native authority concerned in column (2) below.

(1)	(2)	(3)
Aiyedade District Native Authority	Aiyedade District Council	25th March, 1954.
Ede District Native Authority	Ede District Council	25th March, 1954.
Egbedore District Native Authority	Egbedore District Council	25th March, 1954.
Ejigbo District Native Authority	Ejigbo District Council	25th March, 1954.
Iwo District Native Authority	Iwo District Council	1st April, 1954.
Odo-Otin District Native Authority	Odo-Otin District Council	25th March, 1954.
Ogbomosho District Native Authority	Ogbomosho District Council	1st April, 1954.
Oshogbo District Native Authority	Oshogbo District Council	25th March, 1954.
Ibadan District Native Authority	Ibadan District Council	1st April, 1954.

OBAFEMI AWOLowo,
Minister for Local Government,
Western Region

16th September, 1954.

27553

W.R.L.N. 108 of 1954*DIRECTION under section 222 of THE WESTERN REGION
LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)*

In exercise of the powers conferred upon the Regional Authority by section 222 of the Western Region Local Government Law, 1952, which powers have been delegated to me under W.R.L.N. 14 of 1954, I hereby direct and declare that the rights, interests, obligations and liabilities under contract or instrument of the native authorities set out in column (1) below have, with effect from the dates set against each native authority in column (3) below, been assigned to the Council set out against each native authority in column (2) below and that such contract or instrument shall be as of full force and effect against or in favour of the Council concerned, and shall be enforceable as fully and effectually, as if, instead of the native authorities named in column (1) the councils respectively set out in column (2) had been named therein and had been a party thereto.

(1)	(2)	(3)
Aiyedade District Native Authority	Aiyedade District Council	25th March, 1954.
Ede District Native Authority	Ede District Council	25th March, 1954.
Egbedore District Native Authority	Egbedore District Council	25th March, 1954.
Ejigbo District Native Authority	Ejigbo District Council	25th March, 1954.
Iwo District Native Authority	Iwo District Council	1st April, 1954.
Odo-Otin District Native Authority	Odo-Otin District Council	25th March, 1954.
Ogbomosho District Native Authority	Ogbomosho District Council	1st April, 1954.
Oshogbo District Native Authority	Oshogbo District Council	25th March, 1954.
Ibadan District Native Authority	Ibadan District Council	1st April, 1954.

OBAFEMI AWOLowo,
Minister for Local Government,
Western Region

16th September, 1954.

27553

W.R.L.N. 109 of 1954

BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952

(No. 1 of 1953)

THE IPARA LOCAL COUNCIL (MAINTENANCE OF ORDER)

BYE-LAWS, 1954

In exercise of the powers conferred upon Local Government Councils by sections 57 and 77 of the Western Region Local Government Law, 1952, the following Bye-laws are made by the Ipara Local Council with the approval of the Local Government Inspector, Ijebu Province, to whom powers of approval have been delegated.

Short title. 1. These Bye-laws may be cited as the Ipara Local Council (Maintenance of Order) Bye-laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Ipara Local Council.

Definition. 2. In these Bye-laws :—

“Council” means the Ipara Local Council ;

“night-guard” includes such person as may be appointed by the Ipara Local Council to be a night-guard for the purposes of these Bye-laws ;

“night-guard’s hours of duty” means the period from 7 p.m. to 7 a.m. next following.

Prohibition. 3. Any person who :—

(a) blows a whistle during the night-guard’s hours of duty ;

(b) leaves his or her house during the night-guard’s hours of duty without carrying a lighted lamp ;

(c) fails to halt when required to do so by a night-guard ; or

(d) refuses to answer any reasonable question asked by a night-guard with a view to ascertaining that the person concerned is engaged on lawful business ;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50 or in default of payment imprisonment not exceeding six months.

MADE by the Ipara Local Council this 29th day of July, 1954, the common seal of the Ipara Local Council being hereto affixed, in the presence of

Oba ADEKANMBI, The Onipara, His X Mark,
President, Ipara Local Council

J. A. ADEYIGA,
Chairman, Ipara Local Council

OLU. FATUROTU,
Secretary, Ipara Local Council

APPROVED by me this 7th day of September, 1954.

A. J. PHILLIPS,
Local Government Inspector

The following Bills, which will in due course be presented to the Western Regional Legislature for enactment, are published for general information.

By His Honour's Command,

W. M. MILLIKEN,

Acting Civil Secretary, Western Region

Ibadan, 18th September, 1954.

A BILL

FOR

A LAW FOR THE CONSTITUTION OF A HIGH COURT OF JUSTICE FOR THE WESTERN REGION OF NIGERIA AND FOR OTHER PURPOSES RELATING TO THE ADMINISTRATION OF JUSTICE IN THE WESTERN REGION OF NIGERIA.

[

]

Date of commencement.

PART I.—PRELIMINARY

1. This Law may be cited as the Western Region High Court Law, 1954, and shall come into operation on such day as the Governor may by proclamation appoint.

Short title and commencement.

2. In this Law unless the context otherwise requires the following expressions shall have the meanings hereby assigned to them, that is to say :—

Definition.

“Act” used with reference to legislation means an Act of Parliament ;

“action” means a civil proceeding commenced by writ or in such other manner as may be prescribed by rules of court, but does not include a criminal proceeding ;

“Attorney-General” means the Attorney-General of the Western Region ;

“cause” includes any action, suit or other original proceeding between a plaintiff and defendant, and any criminal proceeding ;

“Chief Justice” means the Chief Justice of the Western Region ;

“court” includes the High Court of the Western Region and the Chief Justice, and Judges of the High Court, sitting together or separately ;

“defendant” includes every person served with any writ or summons or process or served with notice of, or entitled to attend, any proceedings in a civil cause and also every person charged with any crime or offence ;

“division” means a Judicial Division of the High Court ;

“execution creditor” includes every person having title to enforce a judgment or order by process of execution ;

“existing” means existing at the time appointed for the commencement of this Law ;

“Federal Law” means any law that may be passed by the Federal Legislature ;

“first class chief” means a head chief graded as first class under the provision of the Appointment and Deposition of Chiefs Ordinance, or the Appointment and Recognition of Chiefs Law, 1954 ;

“Governor” means the Governor of the Western Region ;

“High Court” means the High Court of the Western Region of Nigeria established under this Law ;

“Imperial laws” means any Act or Statute of the United Kingdom and includes general rules or orders of court made thereunder ;

“judge” means the Chief Justice or a Judge of the High Court ;

“judgment” includes a decree ;

“judgment debtor” includes every person ordered by a judgment or order in a civil cause or matter to pay money, or to do or abstain from doing any act ;

“matrimonial cause” means any suit for divorce, nullity of marriage, judicial separation, jactitation of marriage, or restitution of conjugal rights ;

“matter” includes every proceeding in court not in a cause;

“oath” includes solemn affirmation and statutory declaration;

“order” includes a rule;

“part heard case” means in respect of civil matters any case in which one witness has been heard or partly heard and in respect of a criminal matter any case in which a plea has been taken;

“party” includes every person served with notice of or attending any proceeding, although not named on the record;

“petitioner” includes every person making any application to the court, either by petition, motion or summons, otherwise than as against any defendant;

“plaintiff” includes every person asking any relief (otherwise than by way of counter-claim as a defendant) against any other person by any form of proceeding, whether the proceeding is by action, suit, petition, motion, summons or otherwise;

“pleading” includes any petition or summons, and also includes the statements in writing of the claim or demand of any plaintiff, and of the defence of any defendant thereto, and of the reply of the plaintiff to any counter-claim of a defendant;

“prescribed” means prescribed by rules of court;

“registrar” includes the Chief Registrar and all other registrars of the court;

“rules of court” includes forms;

“second class chief” means a head chief graded as second class under the provisions of the Appointment and Deposition of Chiefs Ordinance or the Appointment and Recognition of Chiefs Law, 1954;

“suit” includes action;

“Supreme Court” means the Supreme Court of Nigeria established under the Supreme Court Ordinance.

PART II.—CONSTITUTION OF THE HIGH COURT

3. On a date to be fixed by Proclamation of the Governor, there shall be established a High Court of Justice for the Western Region with such jurisdiction as is conferred upon it by this Law or by any Ordinance. Establishment of the High Court.

4. (1) The court shall consist of a Chief Justice and such other judges as the Governor shall from time to time appoint by letters patent under the public seal of the Western Region in accordance with such instructions as he may receive from Her Majesty, and such Chief Justice or judges shall hold office during Her Majesty's pleasure. Constitution of the court.

(2) The court shall be deemed to be duly constituted notwithstanding any vacancy in the office of the Chief Justice or of any judge thereof.

Appointment
of judges.

5. (1) No person shall be appointed to be a judge of the High Court unless :—

(a) he is or has been a judge of a court having unlimited jurisdiction in civil and criminal matters in some part of Her Majesty's dominions ; or

(b) he is, and has for not less than ten years been qualified to practise as an advocate in a court or courts having such jurisdiction :

Provided that in computing the period during which any person has been qualified to practise as an advocate, any period during which he has held judicial office after becoming so qualified, shall be included.

Forfeiture
of office.

6. The acceptance by any judge of any other office or place of profit or emolument without the approval of the Governor shall be and be deemed an avoidance of his office of judge, and his salary as judge shall cease accordingly from the time of his acceptance of such other office or place.

Powers of
judges.

7. (1) All the judges of the court shall have in all respects save as is herein expressly otherwise provided, equal power, authority and jurisdiction under this law.

(2) Any judge of the court may, subject to this Law and any rules of court, exercise all and any part of the original jurisdiction, civil and criminal, vested by this Law in the court, and for such purpose shall be and form a court.

Vacancies
and devolu-
tion of
duties.

8. (1) Whenever the office of any judge shall become vacant by death or otherwise, or in case of the absence from duty of any judge owing to illness or any other cause or in case of the absence from the Western Region on duty or on leave of any judge it shall be lawful for the Governor in his discretion to appoint a suitable person qualified as provided in section 5 to act in the office of such judge :

Provided that in the case of a vacancy in the office of Chief Justice or in the absence from duty or absence from the Western Region on duty or on leave of the Chief Justice as aforesaid the next Judge in order of precedence as laid down in section 9 shall act as Chief Justice.

(2) A person lawfully acting as Chief Justice or as a judge shall for all purposes be deemed to be the Chief Justice or a judge as the case may be, and shall have all the powers and perform all the

duties conferred upon or imposed upon the substantive holder of the office in which he is acting.

(3) There shall be paid to the Chief Justice and the several judges of the High Court the following salaries respectively—

Salaries of
Chief Justice
and judges.

To the Chief Justice the sum of three thousand five hundred pounds a year; and

15 and 16
Geo. 5 c. 49
S. 13.

To each of the judges of the High Court the sum of three thousand pounds a year.

(4) The salary payable as aforesaid to the Chief Justice or any judge shall in each case include any pension which may have been granted to him in respect of any public or judicial office previously filled by him.

(5) Every salary payable as aforesaid shall begin from the date of appointment.

(6) Allowances payable to the Chief Justice and the judges of the High Court shall be determined by the Governor.

9. (1) The Chief Justice for the time being shall be the President of the Court and in his absence the senior judge present shall preside.

Precedence
of Judges.

(2) The other judges shall take precedence after the Chief Justice in order according to the date of their respective appointments and where these have been made on the same day, as the Governor may designate.

SEAL OF THE COURT

10. (1) The Court shall have and use, as occasion may require a seal, bearing the inscription "The High Court of the Western Region". The seal of the court shall be kept by the Chief Justice, and a duplicate thereof shall be kept by each judge. The Chief Justice and judges may entrust the seal or duplicates to such officers of the court from time to time as they may respectively think fit.

(2) Such seal shall be the seal of the court for all purposes for which it may be required under the provisions of the rules of court.

PART III.—JURISDICTION AND LAW

11. The High Court shall be a superior court of record, and in addition to any other jurisdiction conferred by this or any other Law or Ordinance shall, within the limits and subject to the provisions of this Law, possess and exercise all the jurisdiction, powers and authorities which are vested in or capable of being exercised by Her Majesty's High Court of Justice in England.

To have
jurisdiction
of High
Court of
Justice in
England.

Her Majesty's civil and criminal jurisdiction vested in court.

12. (1) The jurisdiction by this Law vested in the High Court shall include all Her Majesty's civil jurisdiction which at the commencement of this Law was, or at any time afterwards may be exercisable in the Western Region, for the judicial hearing and determination of matters in difference, or for the administration or control of property and persons, and also all Her Majesty's criminal jurisdiction which at the commencement of the Law was, or at any time afterwards may be there exercisable for the repression or punishment of crimes or offences or for the maintenance of order; and all such jurisdiction shall be exercised under and according to the provisions of this Law and not otherwise:

Civil jurisdiction excluded where native court has jurisdiction.

Provided that, except in so far as the Governor may by Order in Council otherwise direct and except in suits transferred to the High Court under the provisions of section 28 of the Native Courts Ordinance, the High Court shall not exercise original jurisdiction in any matter which is subject to the jurisdiction of a native court relating to marriage, family status, guardianship of children and inheritance or disposition of property on death.

(2) The jurisdiction of the High Court shall include such jurisdiction as may be vested in it by Federal law.

Power to appoint guardians, committees of lunatics.

13. The Court shall have all and singular the powers and authorities of the Lord High Chancellor of England in relation to the appointment and control of guardians of infants and their estates, and also of keepers of the persons and estates of idiots, lunatics and such as being of unsound mind are unable to govern themselves and their estates.

How far the law of England in force.

14. Subject to the terms of this or any other Law, the common law, the doctrines of equity, and the Statutes of general application which were in force in England on the 1st January, 1900, shall be in force within the jurisdiction of the Court.

Practice and procedure.

15. The jurisdiction by this Law vested in the High Court shall be exercised (so far as regards procedure and practice) in the manner provided by this Law, the Criminal Procedure Ordinance or any other Ordinance or Law, or by such rules and orders of court as may be made pursuant to this or any other Law or Ordinance.

Rules as to the application of Imperial laws.

16. (1) All Imperial Laws declared to extend or apply to the jurisdiction of the court shall be in force so far only as the limits of the local jurisdiction and local circumstances permit, and subject to any Law.

(2) For the purposes of facilitating the application of the said Imperial laws, they shall be read with such formal verbal alterations,

not affecting the substance, as to names, localities, courts, officers, persons, moneys, penalties and otherwise as may be necessary to render the same applicable to the circumstances.

(3) Every judge or officer of the High Court having or exercising functions of the like kind, or analogous to the function of any judge or officer referred to in any such law, shall be deemed to be within the meaning of the enactments thereof relating to such last mentioned judge or officer.

(4) Whenever the great seal or any other seal is mentioned in any such law it shall be read as if the seal of the High Court were substituted therefor.

(5) In matters of practice all documents may be written on ordinary paper, notwithstanding any practice or directions as to printing or engrossing on vellum, parchment, or otherwise.

17. (1) Nothing in this Law shall deprive the High Court of the right to observe and enforce the observance, or shall deprive any person of the benefit of any existing native law or custom, such law or custom not being repugnant to natural justice, equity and good conscience, nor incompatible either directly or by necessary implication with any law for the time being in force.

Application
of native law
and custom.

(2) Such laws and customs shall be deemed applicable in causes and matters where the parties thereto are Nigerians and also in causes and matters between Nigerians and non-Nigerians where it may appear to the Court that substantial injustice would be done to either party by a strict adherence to the rules of the English law.

(3) No party shall be entitled to claim the benefit of any local law or custom, if it shall appear either from express contract or from the nature of the transactions out of which any suit or question may have arisen, that such party agreed that his obligations in connection with such transactions should be regulated exclusively by English law or that such transactions are unknown to native law or custom.

LAW AND EQUITY

18. Subject to the express provisions of any law, in every civil cause or matter commenced in the High Court, law and equity shall be administered by the High Court concurrently and in the same manner as they are administered by Her Majesty's High Court of Justice in England.

Law and
equity to be
concurrently
administered.
(See s. 36-44
15 and 16
Geo. 5,
c. 49).

Questions of foreign and native law or customs to be decided by judge.

(15 and 16 Geo. 5, c. 49, s. 102).

19. Where for the purpose of disposing of any action or other matter which is being tried in the High Court by a judge with or without a jury or assessors it is necessary to ascertain the law of any other country or the customary law of Nigeria which is applicable to the facts of the case, any question as to the effect of the evidence given with respect to that law or custom shall, instead of being submitted to the jury or assessors, be decided by the judge alone.

Determination of matter completely and finally (15 and 16 Geo. 5, c. 49, s. 43).

20. The High Court in the exercise of the jurisdiction vested in it by this Law shall, in every cause or matter pending before the court, grant, either absolutely or on such terms and conditions as the court thinks just, all such remedies whatsoever as any of the parties thereto may appear to be entitled to in respect of any legal or equitable claim properly brought forward by them in the cause or matter, so that, as far as possible, all matters in controversy between the parties may be completely and finally determined, and all multiplicity of legal proceedings concerning any of those matters avoided.

Rules of equity to prevail. (15 and 16 Geo. 5, c. 49, s. 44).

21. Subject to the express provisions of any other Law in all matters not particularly mentioned in this Law, in which there was formerly or is any conflict or variance between the rules of equity and the rules of the common law with reference to the same matter the rules of equity shall prevail in the court so far as the matter to which those rules relate are cognisable by the court.

PROBATE AND DIVORCE

In probate, divorce, and matrimonial causes. (See ss. 20 and 21, 15 and 16 Geo. 5, c. 49).

22. The jurisdiction hereby conferred upon the court in probate, divorce and matrimonial causes and proceedings may, subject to the provisions of this Law and especially of section 17, and to rules of court, be exercised by the court in conformity with the law and practice for the time being in force in England.

Attorney-General to be Queen's Proctor for the Western Region. Powers and duties of (15 and 16 Geo. 5, c. 49 s. 181).

23. In the case of any petition for divorce or nullity of marriage :—

(a) the court may, if it thinks fit, direct all necessary papers in the matter to be sent to the Attorney-General, who is hereby declared to be the Queen's Proctor in and for the Western Region, and who may, either personally or by counsel, argue before the court any question in relation to the matter which the court deems to be necessary or expedient to have fully argued ;

(b) any person may at any time during the progress of any proceedings or before the *decree nisi* is made absolute give information to the Queen's Proctor for the Western Region of any matter material to the due decision of the case and the

Queen's Proctor for the Western Region may thereupon take such steps as he may consider necessary or expedient ;

(c) if in consequence of any such information or otherwise the Queen's Proctor for the Western Region suspects that any parties to the petition are or have been acting in collusion for the purpose of obtaining a decree contrary to the justice of the case, he may, after obtaining the leave of the court, intervene and retain counsel and subpoena witnesses to prove the alleged collusion ;

(d) any rules and regulations for the time being in force for Her Majesty's High Court of Justice in England relating to the Queen's Proctor in England shall, subject to rules of court, apply to the Queen's Proctor for the Western Region.

APPELLATE JURISDICTION

24. (1) The High Court shall have appellate jurisdiction to hear and determine all appeals from the decisions of magistrates' courts in civil and criminal causes and matters given in the exercise of the original jurisdiction of the said courts, as well as cases stated by magistrates in accordance with the provisions of this Law and of any Law relating thereto.

Jurisdiction of High Court with respect to appeals and cases stated from inferior courts.

(2) The High Court shall have such other appellate jurisdiction as may be vested in it by any Federal law.

25. The High Court shall have appellate jurisdiction to hear and determine appeals from native courts and appeals from decisions of magistrates on appeal from native courts in accordance with the provisions of any law relating thereto.

Jurisdiction in appeals from native courts.

26. The High Court shall have powers of revision in respect of all proceedings in magistrates' courts in accordance with the provisions of any Law relating thereto.

Power to revise decisions of magistrates' courts.

MISCELLANEOUS

27. (1) The court may grant a mandamus or an injunction or appoint a receiver by an interlocutory order in all cases in which it appears to the court to be just or convenient so to do.

Mandamus injunctions and receivers

(2) Any such order may be made either unconditionally or on such terms and conditions as the court thinks just.

(3) If, whether before, or at, or after the hearing of any cause or matter, an application is made for an injunction to prevent any threatened or apprehended waste or trespass, the injunction may be granted, if the court thinks fit, whether the person against whom the injunction is sought is or is not in possession under any claim of title, or otherwise, or (if out of possession) does or does not claim

a right to do the act sought to be restrained under any colour of title, and whether the estates claimed by both or by either of the parties are legal or equitable.

Relief against forfeiture for non-payment of rent.

28. In the case of any action for a forfeiture brought for non-payment of rent, the court shall have power to give relief in a summary manner, and subject to the same terms and conditions in all respects as to payment of rent, costs and otherwise as can be imposed by Her Majesty's High Court of Justice in England, and if the lessee, his executors, administrators or assigns are so relieved they shall hold the demised premises according to the terms of the lease and without the necessity of any new lease.

Executions of instructions by order of court.

29. Where any person neglects or refuses to comply with a judgment or order directing him to execute any conveyance, contract or other document, or to endorse any negotiable instrument, the court may, on such terms and conditions, if any, as may be just, order that the conveyance, contract or other document shall be executed or that the negotiable instrument shall be endorsed by such person as the court may nominate for that purpose, and a conveyance, contract, document or instrument so executed or endorsed shall operate and be for all purposes as valid as if it had been executed or endorsed by the person originally directed to execute or endorse it.

Quo warranto.

30. Proceedings in *quo warranto* shall be deemed to be civil proceedings whether for purposes of appeal or otherwise.

Reconciliation in civil cases.

31. Where an action is pending the court may promote reconciliation among the parties thereto and encourage and facilitate the amicable settlement thereof.

Reconciliation in criminal cases.

32. In criminal cases the 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 felony and not aggravated in degree, on terms of payment of compensation or other terms approved by the court, and may thereupon order the proceedings to be stayed.

Credit to Nigerians.

33. The court shall not enforce against a Nigerian living in any area specified by Order of the Governor in Council under this section, which Order the Governor in Council is hereby empowered to make, any obligation incurred by him towards any person in respect of a commercial transaction, so far as it is based on credit, if it appear to the court in its discretion that it was not reasonably probable that the Nigerian was fully aware of the nature of the obligation and the consequence of failure to perform the same.

34. (1) Where the plaintiff in any action in the High Court proves at any time before final judgment by evidence on oath to the satisfaction of the court that he has good cause of action against the defendant to any amount and that there is probable cause for believing that the defendant is about to quit Nigeria or the Western Region unless he be apprehended and that the absence of the defendant from Nigeria or the Western Region will materially prejudice the plaintiff in the prosecution of his action, the court may, in the manner prescribed by rules of court, order such defendant to be arrested and imprisoned for a period not exceeding six months unless and until he has paid into court the sum claimed and costs, or given security as prescribed by rules of court, that he will not go out of Nigeria or the Western Region without the leave of the court, in a sum not exceeding the amount claimed in the action.

Power to
arrest debtor
quitting
Nigeria.

(2) Where the claim is for a penalty or sum in the nature of a penalty other than a penalty in respect of any contract, the provision of sub-section (1) shall apply as if it were an action but it shall not be necessary to prove that the absence of the defendant from Nigeria or the Western Region will materially prejudice the plaintiff in the prosecution of his action and the security given, instead of being that the defendant will not go out of Nigeria or the Western Region, shall be to the effect that any sum recovered against the defendant in the action shall be paid or that the defendant shall be rendered to prison.

PART IV.—SITTINGS, DISTRIBUTION OF BUSINESS

35. (1) For the more convenient despatch of business the court may sit in two or more divisions and the Chief Justice may divide the Western Region into divisions and assign any portion to any division which shall be known as a Judicial Division and may designate such Judicial Division by name and shall direct one or more judges to sit in one or more Judicial Divisions.

Divisions of
High Court.

(2) Every judge, subject to any directions that may be given by the Chief Justice, shall sit for the trial of criminal and civil causes and for the disposal of other legal business pending at such places in the Western Region and at such times as he may think fit.

(3) The Chief Justice may determine the distribution of the business before the court among the judges thereof and may assign any judicial duty to any judge or judges.

Chief Justice
distributes
business of
court.

36. (1) Subject to rules of court and subject to vacations as may be prescribed the Court shall be open throughout the year for the transaction of the general legal business pending therein.

Court open
at all times
for general
business.

Vacations.
15 and 16
Geo. 5, c.
49, s. 53.

(2) The Minister of Justice may from time to time, on a report or recommendation made by the council of judges of the High Court assembled in pursuance of the provisions of section 57 of this Law make, revoke or nullify orders regulating the vacations to be observed by the High Court.

(3) Any order made in pursuance of this section shall, so long as it continues in force, have effect as if enacted in this Law, and rules of court may be made accordingly for carrying the Order into effect.

Sittings in
vacation.
15 and 16
Geo. 5, c.
49, s. 54.

(4) Provisions shall be made by rules of court for the hearing during vacation by judges of the High Court of all such applications as may require to be immediately or promptly heard.

Adjournment
of court in
judge's
absence.

37. In case the judge who should preside over the sitting of the court is from any cause unable or fails to attend the same on the day appointed, and no other judge shall attend in his stead, the court shall stand adjourned from day to day until a judge shall attend or until the court shall be adjourned or closed by order under the hand of a judge.

Power of
transfer.

POWER OF TRANSFER

38. (1) A judge may at any time or at any stage of the proceedings before final judgment, and either with or without application from any of the parties thereto, transfer any cause or matter before him to a magistrate's court having jurisdiction to hear such cause or matter or to a judge in the same or any other Judicial Division.

(2) The Chief Justice may at any time or at any stage of the proceedings before judgment similarly transfer any cause or matter before a judge to any other judge.

Manner of
its exercise.

39. (1) The power of transfer shall be exercised by means of an order under the hand of the Chief Justice or a judge, as the case may be, and seal of the court, and may apply either to any particular cause or causes, matter or matters in dependence either entirely or in respect of any part thereof, or procedure required to be taken thereon, or generally to all such causes and matters as may be described in such order, and in the latter cases may extend to future causes or matters as well as to such as may at the time of making such orders be in dependence :

Provided that the provisions of this sub-section shall not apply to cases of transfer from a judge to another judge in the same Judicial Division.

(2) The Chief Justice or judge, as the case may be, may at all times cancel, alter, add to or amend any such order before final judgment by the court to which a cause or matter has been transferred.

(3) The Chief Justice or judge, as the case may be, may, if it appear expedient, telegraph in the first instance the contents of any such order made by him, and such telegram shall, until receipt of the said order, have the same validity and effect as if it were the said order. By telegraph if necessary.

40. Every order of transfer by the Chief Justice shall operate as a stay of proceedings before the judge to whom it may be addressed 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 an attested copy of the record shall be transmitted to the judge to whom the same shall be transferred. Effects of order of transfer.

41. (1) The court may at any stage of the proceedings by order direct that any cause or matter pending before it be transferred to a native court having jurisdiction in such cause or matter. Power to transfer cause to native court

(2) Any order made under sections 38 to 41 (1) inclusive shall not be subject to appeal.

42. Every proceeding in the High Court and all business arising thereout shall, so far as is practicable and convenient and subject to the provisions of any Law or Ordinance be heard and disposed of by a single judge, and all proceedings in an action subsequent to the hearing or trial, down to and including the final judgment or order, shall, so far as is practicable and convenient be taken before the judge before whom the trial or hearing took place. Proceedings in High Court to be disposed of by single judge. (15 and 16 Geo. 5, c. 49, s. 60, No. 57 of 1933.)

43. A judge may, subject to rules of court, exercise in court or in chambers all or any part of the jurisdiction vested in the High Court, in all such causes and matters and in all such proceedings in any causes or matters as may be heard in court or in chambers respectively by a single judge of Her Majesty's High Court of Justice in England. Powers of single judge in court and in chambers. (15 and 16 Geo. 5, c. 49, s. 61).

44. Subject to the provisions of this Law with respect to appeals in matters of practice and procedure, every order made by a judge in chambers, except orders as to costs only which by law are left to the discretion of the court, may upon notice be set aside or discharged by the judge sitting in court. Discharge of orders, made in chambers. (15 and 16 Geo. 5, c. 49, s. 62).

PART V.—GENERAL PROVISIONS AS TO
TRIAL AND PROCEDURE

TRIAL BY JUDGE OR JURY

Mode of
trial.

45. Civil and criminal causes shall be tried by a judge alone except where express provision to the contrary is made by this or any other Law.

ASSESSORS

Trial with
assessors.
(15 and 16
Geo. 5, c.
49, s. 98).

46. (1) In any civil cause or matter before the High Court, the court may, if it thinks it expedient so to do, call in the aid of one or more assessors specially qualified, and try and hear the cause or matter wholly or partially with their assistance.

(2) The remuneration, if any, to be paid to an assessor shall be determined by the court.

INQUIRIES AND TRIALS BY REFEREES

Reference
for report.

47. (1) Subject to rules of court a judge may refer to an official or special referee for inquiry or report any question arising in any cause or matter, other than a criminal proceeding.

(2) The report of an official or special referee may be adopted wholly or partially by the court or a judge, and if so adopted may be enforced as a judgment or order to the same effect.

Reference
for trial.

48. In any cause or matter, other than a criminal proceeding :—

(a) if all the parties interested who are not under disability consent ; or

(b) if the cause or matter requires any prolonged examination of documents or any scientific or local investigation which cannot in the opinion of the court or a judge conveniently be conducted by the court or judge through its ordinary officers ; or

(c) if the question in dispute consists wholly or in part of accounts,

the court or a judge may at any time order the whole cause or matter, or any question or issue of fact arising therein, to be tried before a special referee or arbitrator respectively agreed on by the parties, or before an official referee or officer of the court.

Powers and
remuneration
of referees
and
arbitrators.

49. (1) In all cases of reference to an official or special referee or arbitrator, the official or special referee or arbitrator shall be deemed to be an officer of the court, and subject to rules of court shall have such authority, and conduct the reference in such manner, as the court or a judge may direct.

(2) The report or award of an official or special referee or arbitrator on any reference shall, unless set aside by the court or a judge, be equivalent to a finding of the court.

(3) The remuneration to be paid to a special referee or arbitrator to whom any matter is referred under an order of the court or a judge shall be determined by the court or a judge.

50. The court or a judge shall, in relation to references, have all such powers as are conferred by the Arbitration Ordinance on the court or a judge in relation to submissions.

Court to have powers as in submissions. Chapter 13.

51. The court or a judge may order that a writ of *habeas corpus ad testificandum* shall issue to bring up a prisoner for examination before an official or special referee or arbitrator.

Power to order *habeas corpus* to issue.

52. A referee or arbitrator may at any stage of the proceedings under a reference, and shall, if so directed by the court or a judge, state in the form of a special case for the opinion of the court any question of law arising in the course of the reference.

Statement of case pending arbitration.

53. An order made under the provisions of this Law relating to inquiries and trials by referees may be made on such terms as to costs or otherwise as the court or a judge thinks fit.

Power of court to impose terms as to costs.

54. In the provisions of this Law relating to inquiries and trials by referees, unless the context otherwise requires :—

“reference” means a reference under an order made by the court or a judge under the said provisions.

RULES OF COURT

55. (1) The Chief Justice with the approval of the Minister of Justice may make rules of court for carrying this Law into effect, and in particular for all or any of the following matters :—

Powers of making rules of court.

(a) for regulating the pleading, practice, and procedure of the court, including all matters connected with the forms to be used and the fees to be payable :

(b) for regulating—

(i) the discipline, employment in causes and fees of legal practitioners ; and

(ii) the taxation and recovery of their fees and disbursements.

(c) for defining, so far as conveniently may be defined by general rules, the duties of the several officers of court ;

(d) for regulating the procedure for the grant of probate and letters of administration and for securing the due administration of estates ;

(e) for requiring and regulating the filing of accounts by administrators of estates ;

(f) for fixing the fees payable on the grant of probate and letters of administration and on all matters incidental to the administration of an estate until the passing of the final accounts and the discharge of the administrator ;

(g) for providing that no fees be paid or that certain fees need not be paid or which fees must be paid on the grant of probate or letters of administration in respect of estates of small value ;

(h) for ascertaining the value of estates ;

(i) for regulating the administration of estates either generally or in respect of different classes or kind of estates or of estates of classes of persons ;

(j) for regulating and prescribing the procedure on appeals from any court or person to the High Court, and the procedure in connection with the transfer of proceedings from any court to the High Court or from the High Court to any other court ;

(k) for regulating the sittings of the High Court, and of the judges of the High Court whether sitting in court or in chambers ;

(l) for prescribing what part of the business which may be transacted and of the jurisdiction which may be exercised by judges of the High Court in Chambers may be transacted or exercised by registrars or other officers of the High Court, and for providing that any interlocutory application to be made in connection with or for the purpose of any appeal or proposed appeal to be heard by a divisional court shall be heard and disposed of before a single judge ;

(m) for regulating any matter relating to the costs of proceedings in the High Court ;

(n) for regulating and prescribing the duties and procedure of referees and arbitrators ;

(o) for regulating the means by which particular facts may be proved, and the mode in which evidence thereof may be given, in any proceedings or on any application in connection with or at any stage of any proceedings ;

(p) for the arrest of absconding debtors and for giving security for their release ;

(q) for regulating the payment of allowances and travelling expenses of witnesses ;

(r) for providing for the service or execution of any writ, warrant, order or other process issuing out of or transmitted by a native court for service in like manner as similar process issuing out of the High Court; the payment of mileage before or after service or execution; the conditions precedent before any such process or process of certain classes will be served or executed and the procedure to be followed after the service or execution of such process;

(s) for providing for the taking of shorthand notes of evidence and proceedings in the High Court and for the payment of fees for the taking of the notes out of public funds, and for fixing the charges for the making and supply of transcripts of the notes, and for the payment of such charges either by the parties to the proceedings or out of public funds;

(t) for imposing penalties on any person who fails to take any action required by a rule of court or who disobeys any rule of court;

(u) for prescribing vacations.

(2) Rules of court made under this section shall apply to all proceedings by or against the Crown.

(3) Until such rules are made the rules of court made under the provisions of the Supreme Court Ordinance and in force on the 1st day of August, 1954, shall apply and shall be deemed to have been made under this Law except in so far as such rules are inconsistent with the provisions of this Law, and all references therein to the Supreme Court shall be deemed to be references to the High Court of the Western Region established under this Law.

56. The Chief Registrar, registrars and deputy registrars shall have power to administer oaths and perform such other duties with respect to any proceedings in the High Court as may be prescribed by rules or by any special order of the Chief Justice.

Powers of registrars. (15 and 16 Geo. 5, c. 49, s. 86).

57. (1) A council of the judges of the High Court, of which due notice shall be given to all the said judges, and at which the Minister of Justice shall preside, shall assemble once at least in every year, on such day or days as shall be fixed by the Minister of Justice with the concurrence of the Chief Justice for the purpose of considering the operation of this Law and of any rules of court, and also the working of the several offices and the arrangements relative to the duties of the officers of the court, and of enquiring and examining into any defects which may appear to exist in the system of procedure or the administration of the law in the High Court, or in any other court from which any appeal lies to the High Court or any judge thereof.

Council of judges to consider operation of Law, etc.

(2) The said Council shall report annually to the Executive Council of the Western Region what amendments or alterations, if any, it would in its judgment be expedient to make in this Law, or otherwise relating to the administration of justice, and what other provisions, if any, which cannot be carried into effect without the authority of the Regional Legislature it would be expedient to make for the better administration of justice.

(3) The Minister of Justice may convene at any time any extraordinary council of the judges.

PART VI.—VENUE

58. Subject to the powers of transfer contained in the Law the place for the trial and investigation of offences shall be as follows :—

Place where
offence
committed.

(a) an offence shall be tried or inquired into by a court having jurisdiction in the division or district where the offence was committed ;

Where act
done or
where
consequence
ensues.

(b) when a person is accused of the commission of any offence by reason of anything which has been done or of anything which has been omitted to be done, and of any consequence which has ensued, such offence may be tried or inquired into by a court having jurisdiction in the division or district in which any such thing has been done or omitted to be done, or any such consequence has ensued ;

When offence
constituted
by relation
to another
offence.

(c) when an act is an offence by reason of its relation to any other act which is also an offence, a charge of the first mentioned offence may be tried or inquired into by a court having jurisdiction in the division or district either in which it happened, or in which the offence, with which it was so connected happened ;

When place
uncertain or
offence
distributed.

(d) (i) when it is uncertain in which of several divisions or districts an offence was committed ; or

(ii) when an offence is committed partly in one division or district and partly in another ; or

(iii) when an offence is a continuing one and continues to be committed in more divisions or districts than one ; or

(iv) when it consists of several acts committed in different divisions or districts ;

it may be tried or inquired into by a court having jurisdiction in in any of such districts ;

Offence
committed
on a
journey.

(e) an offence committed while the offender is in the course of performing a journey or voyage may be tried or inquired into by a court in or through or into the division or district of whose

jurisdiction the offender or person against whom or the thing in respect of which the offence was committed resides, is or passed in the course of that journey or voyage.

PART VII.—MISCELLANEOUS

OFFICERS OF COURT

59. (1) The Governor may from time to time appoint a fit and proper person to be the Chief Registrar of the High Court, who shall perform such duties in execution of the powers and authorities of the court as may from time to time be assigned to him by the rules of court or, subject thereto, by any special order of the Chief Justice.

Chief Registrar and other officers.

(2) The Governor may from time to time appoint registrars, deputy registrars and such other officers as may be deemed necessary, who shall perform all such duties with respect to business before the court as may be directed by rules of court or any order of the Chief Justice.

60. If an officer of the court, employed to execute an order, wilfully or by neglect or omission loses the opportunity of executing it, then on complaint of the person aggrieved, and proof of the fact alleged, the court may, if it thinks fit, order the officer to pay the damages sustained by the person complaining, or part thereof, and the order shall be enforced as an order directing payment of money.

Negligence or misconduct of officers.

61. No person in permanent employment as an officer of the court shall or may directly or indirectly or by the intervention of a trustee or otherwise purchase any property sold at execution, and in the event of any such person purchasing or being interested in the purchase of any property at an execution sale, such purchase shall be entirely void :

Restriction on officers of court buying property sold at execution.

Provided that nothing herein contained shall prevent any such person from purchasing by leave of the court at an execution sale, any property which it may be necessary for him to purchase in order to protect the interest of himself, his wife or child.

62. In any cause the court may on the application of either party, or of its own motion, make such order for the inspection by the court, the jury, the parties or witnesses, of any movable or immovable property, the inspection of which may be material to the proper determination of the question in dispute, and give such direction respecting such inspection as to the court may seem fit.

Inspection.

COSTS

63. Costs shall be allowed to a successful plaintiff on the scale prescribed for similar proceedings in a lower court in any action

Disallowance of costs in certain cases.

brought by him in the High Court which might have been tried in the lower court in its civil jurisdiction, unless the judge is of the opinion that the action was one which it was proper to bring in the High Court and certifies accordingly.

KEEPING OF MINUTES

Notes of evidence and minutes of proceedings to be kept by presiding officer.

64. Subject to any rules of court for the taking of minutes of proceedings, the presiding judge shall in every cause or matter take down in writing the purpose of all oral evidence given before the court and shall sign the same at any adjournment of the case and at the conclusion thereof.

WITNESSES

Allowances to witnesses.

65. (1) The presiding judge may in any cause order and allow to all persons required to attend, or examined as witnesses, such sum or sums of money as may be specified by rules of court as well for defraying the reasonable expenses of such witnesses, as for allowing them a reasonable compensation for their trouble and loss of time.

(2) No person may refuse to attend as a witness, or to give evidence, when so required by process of the court on the ground that his expenses have not been first paid or provided for.

How defrayed.

66. All sums of money so allowed shall be paid in civil proceedings by the party on whose behalf the witness is called, and shall be recoverable as ordinary costs of suit if the court shall so order, and in criminal proceedings they shall, unless by the court ordered to be paid by the party convicted or the prosecutor, be paid out of the general revenue.

Persons in court may be required to give evidence though not summoned.

67. Any person present in court, whether a party or not in a cause, may be compelled by the court to give evidence, and produce any document in his possession, or in his power, in the same manner and subject to the same rules as if he had been summoned to attend and give evidence, or to produce such document, and may be punished for any refusal to obey the order of the court.

In what cases prisoners may be brought by warrant to give evidence.

68. A judge may issue a warrant under his hand for bringing up any person confined as a prisoner under any sentence or order of commitment for trial, or otherwise, or under civil process to be examined as a witness in any cause depending, or to be inquired of, in the court :

Provided that such warrant shall not be granted as of course, unless the judge shall have probable grounds for believing that the evidence of the prisoner is likely to prove material.

69. The Superintendent of Prisons or person in whose custody such prisoner may be shall forthwith obey such warrant by bringing the prisoner to the court in his custody, or by delivering the prisoner to the court in his custody, or by delivering him to an officer of court, as the warrant may order, and if the prisoner shall under the terms of the warrant be delivered to any officer of court, the Superintendent of Prisons or other person shall not be liable for the escape of such prisoner.

Prison officer to produce prisoner.

SAVING OF RULES OF EVIDENCE

70. Nothing in this Law and nothing in rules of court made under this Law shall affect the mode of giving evidence in accordance with the provisions of the Evidence Ordinance and other rules of evidence, or the law relating to jurymen or juries :

Law not to affect rules of evidence or juries. (15 and 16 Geo. 5. c. 49, ss. 101 and 103).

Provided that nothing in this section shall :—

(a) prejudice the operation of any rules of court made in pursuance of the express power conferred by this Law to make rules of court for regulating the means by which particular facts may be proved and the mode in which evidence thereof may be given ; or

(b) affect the power of the court for special reasons to allow depositions or affidavits to be read.

REPRESENTATION OF PARTIES

71. (1) In the case of a prosecution by or on behalf of the Crown or by any public officer in his official capacity, the Crown or that officer may be represented by a law officer, crown counsel, or by any legal practitioner duly authorised in that behalf by or on behalf of the Attorney-General, or, in revenue cases, authorised by the head of the department concerned.

Representation of the Crown and Government departments.

(2) In any civil cause or matter in which the Crown or any public officer in his official capacity is a party or in any civil cause or matter affecting the revenue, the Crown or that officer may be represented by a law officer, crown counsel, or any legal practitioner or other person duly authorised in that behalf by or on behalf of the Attorney-General or, in revenue cases, authorised by the head of the department concerned.

72. In any suit brought by or against a first or second class chief in either his official or personal capacity such chief may be represented in the court established by this Law at any stage of the proceedings by any Nigerian of his chieftom who shall satisfy such court that he has the authority of such chief to represent him.

Representation of first and second class chiefs.

Right to practise.

73. All persons admitted to practise in the Supreme Court or in the Federal Supreme Court when once that court shall have been established shall have the right to practise in the High Court.

COMMISSIONERS OF OATHS

Chief Justice may appoint commissioners for affidavits or for taking evidence.

74. The Chief Justice may appoint under his hand and the seal of the court, from time to time, such and so many persons as may be requisite to be commissioners within the Western Region for taking affidavits and declarations and receiving production of documents, or for taking the examination of witnesses on interrogatories or otherwise which may be necessary to be taken in respect of any proceedings in the court, and any order of the court for the attendance and examination of witnesses or production of documents before any such commissioner shall be enforced in the same manner as an order to attend and be examined or produce documents before the court.

Protection of commissioners from actions.

75. No action shall be brought against any commissioner in respect of any act or order *bona fide* performed or made by him in the execution, or supposed execution, of the powers of jurisdiction vested in him, but every such act or order if in excess of such powers and jurisdiction shall be liable to be revised, altered, amended or set aside upon summary application to the court.

PROTECTION OF JUDICIAL OFFICERS

Judicial officers not liable to sue if acted in good faith.

76. (1) No judge or other person acting judicially shall be liable to be sued in any court for any act done or ordered to be done by him in the discharge of his judicial duty, whether or not within the limits of his jurisdiction :

Provided that he at the time, in good faith, believed himself to have jurisdiction to do or order the act complained of.

(2) No officer of any court or other person bound to execute the lawful warrants or orders of any such judge or other person acting judicially, 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 within the jurisdiction of the person issuing the same.

Completion of part heard cases.

77. A judge of the Supreme Court shall be deemed to be a judge of the High Court for the purpose of completing a part heard case.

Transfer from native courts.

78. All orders transferring a case from a native court to the Supreme Court in force on the coming into operation of this Law shall be deemed to have transferred such cases to the High Court.

SAVING

79. (1) All proceedings instituted, commenced or taken in accordance with the rules or practice of the Supreme Court established in accordance with the provisions of the Supreme Court Ordinance in respect of any cause pending at the coming into force of this Law shall be valid and effectual as though they had been instituted, commenced or taken in accordance with the provisions of this Law and such proceedings shall continue before the court in accordance with the provisions of this Law.

(2) The Judicial Divisions in the Western Region in being at the coming into operation of this Law shall be deemed to have been established under the provisions of this Law.

80. Notwithstanding the provisions of sections 4 and 5 of this Law nothing in this Law shall be construed to affect the status, appointment or tenure of office of any person who is serving as a Judge of the Supreme Court of Nigeria in the Western Region at the time of the establishment of the High Court or of any registrar or other officers performing duties on the coming into force of this Law in connection with such court; all judges, registrars and other officers as aforesaid shall be deemed to have been appointed to exercise their respective duties in the High Court, in the case of any Judge of the Supreme Court as a Judge of the High Court, in the case of a registrar as a registrar of the High Court and in the case of all other officers aforesaid as officers of the High Court and they all shall thereafter be subject to the jurisdiction and provision of this Law.

Saving of certain existing appointments.

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81. Subject to the provisions of this Law or of any other Law, wherever in any Ordinance, Law, rule of court, or other document reference is made to the Supreme Court established in accordance with the provisions of the Supreme Court Ordinance, such reference shall be read, in so far as the context will permit, to mean a reference to the High Court established in accordance with the provisions of this Law, and where in any such Ordinance, Law, rule of court, or other enactment reference is made to any judge, registrar or other officer of the Supreme Court such reference shall be read, so far as the context will permit to mean a judge, registrar or other officer as aforesaid of the High Court.

Certain references to Supreme Court to be references to High Court.

82. Subject to any Federal law, an appeal shall lie from the High Court to the West African Court of Appeal in the instances and in the manner prescribed for appeals from the Supreme Court to the West African Court of Appeal :

Provided that as soon as the Federal Supreme Court shall be established in accordance with the Nigeria (Constitution) Order in Council, 1954, and the West African Court of Appeal shall cease to function such appeal shall lie to the Federal Supreme Court.

Cap. 205.

83. All judgments and orders of the High Court shall be enforceable in the same manner as prescribed for the enforcement of judgments of the Supreme Court by the Sheriffs and Enforcement of Judgments and Orders Ordinance.

Objects and Reasons

1. The object of this Bill is to establish a High Court for the Western Region in accordance with the provisions of section 142 of the Nigeria (Constitution) Order in Council, 1954.

2. Part II of the Bill provides for the constitution of the Court which shall consist of a Chief Justice and other judges whose salaries are as laid down in clause 8.

3. Part III relates to jurisdiction. The Court is a superior court of record and shall possess a comprehensive jurisdiction along the lines of that enjoyed by the present Supreme Court. It is to be noted that unlike the Supreme Court, the High Court will have original jurisdiction in land cases. Law and equity will be concurrently administered and in the case of conflict, the rules of equity shall prevail. Provision is made for probate and divorce, appellate jurisdiction and the issue of the prerogative writs.

4. Part IV relates to sittings and distribution of business and provision is made for transfer of causes in appropriate circumstances. Proceedings shall ordinarily be heard and disposed of by a single judge.

5. Part V provides for trial with assessors and reference to a referee or arbitrator. Clause 55 gives the Chief Justice power to make rules of Court with the approval of the Minister of Justice. Clause 57 providing for a yearly council of Judges is a new feature.

6. Part VI contains the usual provisions as to venue.

7. Part VII provides for various matters including Savings provisions which are extensive due to the important changes brought about by the Law.

N. G. HAY,
Legal Secretary

Legal Secretary's Chambers,
Ibadan. 18th September, 1954.

A BILL

FOR

A LAW FOR THE CONSTITUTION OF MAGISTRATES' COURTS FOR THE
 WESTERN REGION OF NIGERIA ; FOR THE APPOINTMENT OF
 MAGISTRATES AND OTHER OFFICERS THEREOF ; OF JUSTICES OF THE
 PEACE AND FOR THE REGULATION OF THEIR DUTIES AND JURISDICTION.

|

1954|

Date of
Commence-
ment.

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

Enactment.

PART I.—PRELIMINARY

1. The Law may be cited as the Magistrates' Courts (Western
 Region) Law, 1954, and shall come into operation on a date to be
 fixed by the Governor in Council by Notice in the *Western Regional
 Gazette*.

Short title
and
commence-
ment.

Definitions.

2. Definitions :—

"Act" used with reference to legislation means an Act of Parliament ;

"action" means a civil proceeding commenced by a writ of summons and includes a criminal proceeding ;

"Appeal court" means the High Court of the Western Region ;

"Attorney-General" means the Attorney-General of the Western Region ;

"cause" includes any action, suit or other original proceeding between a plaintiff and a defendant, and any criminal proceeding ;

"Chief Justice" means the Chief Justice of the Western Region ;

"civil proceedings" means all civil actions triable by a magistrate and all proceedings in relation to the making of an order for the payment of a sum of money or for the doing or abstaining from doing of any act or thing not enforceable by fine or imprisonment in the first instance and shall include any appeal to a magistrate from the decision of an Assessment Committee constituted under the provisions of the Western Regional Local Government Law, 1952 ;

"court" means a magistrate's court established in an area under this Law ;

"court below" means the court of a magistrate from which an appeal is taken ;

"court of further appeal" means the West African Court of Appeal or the Federal Supreme Court once that Court shall have been established ;

"criminal case" includes quasi-criminal proceedings and all other proceedings not being civil proceedings nor an order of committal for trial after a preliminary inquiry ;

"defendant" includes every person served with any writ of summons or process, or served with notice of, or entitled to attend, any proceedings in a civil cause, and also every person charged under any process of the court with any crime or offence ;

"district" means a magisterial district constituted under this Law ;

"execution creditor" includes every person having title to enforce a judgment or order by process of execution ;

"first class chief" means a head chief graded as first class under the provisions of the Appointment and Deposition of Chiefs Ordinance, Cap. 12, or the Appointment and Recognition of Chiefs Law, 1954 ;

"Governor" means the Governor of the Western Region ;

"High Court" means the court established by the Western Region High Court Law, 1954 ;

"Imperial laws" means any Act or Statute of the United Kingdom and includes general rules or orders of court made thereunder ;

"judge" means a judge of the High Court ;

"judgment" includes a decree ;

"judgment debtor" includes every person ordered by a judgment or order in a civil cause to pay money or to do or abstain from doing any act ;

"justice of the peace" means a justice of the peace appointed under this Law ;

"magistrate" and "magistrate's court" means a magistrate and a court appointed or established under the provisions of this Law ;

"material part of the cause of action" means any fact which a party must prove in order to substantiate his claim ;

"matter" includes every proceeding in the court not in a cause ;

"Minister" means the Minister of Justice of the Western Region ;

"plaintiff" includes every person asking any relief (otherwise than by way of counterclaim as a defendant) against any other person by any form of proceeding whether writ, petition or otherwise ;

"registrar" means a registrar appointed under the provisions of this Law ;

"second class chief" means a head chief graded as second class under the provisions of the Appointment and Depositions of Chiefs Ordinance, Cap. 12, or the Appointment and Recognition of Chiefs Law, 1954 ;

"suit" includes action, and means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of court, and does not include a criminal proceeding ;

"summary conviction offence" means any offence punishable on summary conviction before the court, and includes any matter in respect of which the court can make an order in the exercise of its summary criminal jurisdiction.

PART II.—CONSTITUTION OF THE COURTS

3. The Chief Justice may :—

(a) divide the Western Region of Nigeria, or any portion thereof, into magisterial districts for the purposes of this Law ;

(b) constitute in any part of the Western Region of Nigeria a magisterial district or districts for the purposes of this Law ;

(c) distinguish such districts by such names or numbers as he may think proper ; and

(d) vary the limits of any such districts.

4. A magistrate's civil and criminal jurisdiction shall extend over any territorial waters adjacent to the district in which for the time being he is exercising jurisdiction as well as over inland waters whether within or adjacent to such district.

5. In each district there shall be and there is hereby established a court, to be called the Magistrate's Court.

6. (1) Subject to the special provisions hereinafter contained in this Law :—

(a) the magistrate of each district shall be the presiding officer of the court of such district wherein he shall have and exercise all the jurisdiction and powers conferred upon him by his appointment ; and

Power to divide the Western Region of Nigeria into magisterial districts.

Special provision as to territorial and inland waters.

Establishment of magistrate's court in each district.

Presiding officer of the court shall not exceed powers granted him.

(b) no magistrate either as presiding officer or otherwise shall exercise any jurisdiction and powers in excess of those conferred upon him by his appointment.

(2) When the Chief Justice assigns two or more magistrates for any district, each magistrate shall be a presiding officer of the court of such district and each sitting separately shall have and exercise all the jurisdiction and powers conferred upon him by his appointment.

PART III.—OFFICERS OF THE COURTS

MAGISTRATES

Appoint-
ment of
magistrates.

7. (1) The Governor shall have the power to appoint magistrates who shall be styled Chief Magistrates, Senior Magistrates and Magistrates.

(2) No person shall be appointed a Chief Magistrate or Senior Magistrate unless he is and has been qualified to practise as an advocate in a court or courts of unlimited jurisdiction in civil and criminal matters in some part of Her Majesty's dominions or has been a member of the Colonial Legal Service for a period not less than :—

(a) Seven years in the case of a Chief Magistrate or a Senior Magistrate,

(b) Five years in the case of a Magistrate :

Provided that in computing the period during which a person has been qualified to practise as an advocate any period during which he has held the office of Magistrate or Law Officer, or Crown Counsel in any part of Her Majesty's dominions, shall be included.

(3) Notwithstanding the provisions of sub-section (2) of this section any person who is serving in the Western Region as a Chief Magistrate or a Magistrate of the first grade at the time of the coming into force of this Law shall be deemed to be qualified as a Chief Magistrate or Magistrate respectively under the provisions of this Law.

Territorial
jurisdiction
of
magistrates.

8. Every magistrate shall have jurisdiction throughout the Western Region of Nigeria but may be assigned to any specified district or transferred from one district to another by the Chief Justice.

Magistrates
ex officio
justices of
the peace.

9. Every magistrate shall be *ex officio* a justice of the peace for the Western Region of Nigeria.

Procedure
when magis-
trate
personally
interested in
case before
him.

10. Where a magistrate is a party to any cause or matter, or is unable, from personal interest or for any other sufficient reason, to adjudicate on any cause or matter, the Chief Justice shall direct some other magistrate to act instead of such aforesaid magistrate for the hearing and determination of such particular cause or matter, or may direct that such cause or matter shall be heard and determined in a court of any other district.

Chief Justice
may confer
powers of
magistrate on
justice of the
peace.

11. If a magistrate is not available for the court in any district, or where in respect of any district the Chief Justice for any other reason considers it necessary so to do, the Chief Justice may by appointment confer upon any person being a justice of the peace the powers of a

magistrate of such grade as he may think fit, or such of those powers as the Chief Justice may specify, and until the Chief Justice revokes the appointment such person shall be deemed to be a magistrate with such powers in and for such district.

JUSTICES OF THE PEACE

12. (1) The Minister of Justice with the consent of the Governor in Council 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 of Nigeria as the Minister of Justice may specify, and the Minister of Justice, with the consent of the Governor in Council, may remove any person so appointed from the office of justice of the peace.

Appointment and removal of justices 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.

13. Subject to the provisions of this Law and of any other Ordinance or Law, every justice of the peace shall, subject to any exceptions which may be contained in the appointment, within the area in and for which he holds such office have :—

Powers and functions of justices of the peace.

(a) power to preserve the peace, to suppress riots and affrays, and to disperse all disorderly and tumultuous assemblages, and for any of these purposes to call in the aid and assistance of police officers and others who shall severally be bound to obey all such lawful commands ;

(b) all the powers, rights and duties of a magistrate under this or any other Law or Ordinance to—

(i) issue summonses and warrants for the purpose of compelling the attendance of accused persons or persons as witnesses before a court ;

(ii) issue writs of summons and summonses in civil causes ;

(iii) admit to bail persons who are accused but not convicted of crime ;

(iv) issue search warrants ;

(v) take solemn affirmations and statutory declarations ; and

(c) such other powers and rights and perform such duties of magistrates as may be conferred or imposed upon him by rules of court made under any Ordinance or Law not involving the trial of causes or, in criminal cases, the holding of preliminary investigations.

14. Where a justice of the peace is appointed a magistrate under section 11 and such person has had conferred upon him part only of the powers of a magistrate such person shall not when presiding over a magistrate's court exercise any power in excess of the powers conferred upon him.

Justice of the peace shall not exceed powers granted him.

REGISTRARS OF THE COURTS

Appoint-
ment of
registrar.

15. The Governor shall appoint a fit and proper person to be the registrar of each court.

Control of
registrar.

16. The registrar shall, subject to the general supervision and control of the Chief Justice, be under the immediate direction and control of the magistrate.

Duties of
registrars.

17. The duties of the registrar shall be :—

(a) to attend at such sitting of the court as the magistrate may direct ;

(b) to fill up or cause to be filled up summonses, warrants, orders, convictions, recognisances, writs of execution, and other documents, and submit the same for the signature of the magistrate ;

(c) to make or cause to be made copies of proceedings when required to do so by the magistrate, and to record the judgments, convictions and orders of the court ;

(d) to receive or cause to be received all fees, fines and penalties, and all other moneys paid or deposited in respect of proceedings in the court, and to keep or cause to be kept accounts of the same ; and

(e) to perform or cause to be performed such other duties connected with the court as may be assigned to him by the magistrate.

PART IV.—JURISDICTION OF THE COURTS

Civil
jurisdiction
of Chief
Magistrates.

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 of orders to stay waste or alienation or for the detention 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 ;

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Provided that except in so far as the Governor may by order in Council otherwise direct, and except in suits transferred to a magistrate's court under the provisions of section 28 of the Native Courts Ordinance, 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.

(2) Senior Magistrates and Magistrates shall have and exercise jurisdiction in civil causes similar in all respects to that set out in sub-section (1) save that such jurisdiction, in causes where the subject matter in dispute is capable of being estimated at a money value, shall be limited to causes in which such subject matter does not exceed in amount or value two hundred pounds in the case of a Senior Magistrate and one hundred pounds in case of a Magistrate.

Civil
jurisdiction
of Senior
Magistrates
and
Magistrates.

(3) Where in any action the debt or demand consists of a balance not exceeding five hundred pounds, two hundred pounds or one hundred pounds, as the case may be, after an admitted counterclaim or set-off of any debt or demand claimed or recoverable by the defendant from the plaintiff, a magistrate shall have jurisdiction and power to hear and determine such action within the limits of his personal jurisdiction and power.

19. Subject to the provisions of this and of any other Law or Ordinance a Chief Magistrate shall have full jurisdiction in criminal causes and power as hereinafter set forth :—

Criminal
jurisdiction
of Chief
Magistrates.

(1) For the summary trial and determination of criminal cases as follows :—

(a) where any person is charged with committing an offence or with doing any act or with omitting to do any act required by law, the commission or omission of which is in any case punishable either by fine not exceeding five hundred pounds or by imprisonment not exceeding five years or by both ; power to impose the punishment specified by law ;

(b) (i) where any person is charged with committing an offence or with doing any act or with omitting to do any act required by law, the commission or omission of which is stated by the enactment declaring such to be both an offence and to be one punishable or triable or liable to be dealt with on summary conviction or summarily or in a summary manner ; power to award the maximum sentence of imprisonment and to order the payment of the maximum fine or penalty or forfeiture provided by such enactment or both such imprisonment and such fine or penalty or forfeiture where by law both may be imposed ;

(ii) where any enactment provides that an order for the payment of money may be made on summary conviction or summarily or in a summary manner in respect of any act or omission ; power to order the payment of the sum which may be ordered according to the provisions of the enactment providing for the making of the order ;

(c) where any person is charged with committing an offence or with doing any act or with omitting to do any act required by law, the commission or omission of which is an offence, not stated to be triable on summary conviction or summarily or in a summary manner and is stated by the enactment declaring such to be an offence that is punishable either by a fine exceeding five hundred pounds or by imprisonment exceeding five years or both, but taking into account the circumstances of the particular offence with which such person is charged and the character and antecedents of the accused himself the court is of opinion that the charge then before the court appears to be one of such a nature that, if proved, it would be adequately punished by any of the following punishments :—

(i) imprisonment for not more than five years ;

(ii) a fine not exceeding five hundred pounds, such fine to be enforced in default of payment by distress or by imprisonment for not more than five years ;

(iii) in each of the above cases with or without whipping and any additional or alternative punishment in respect of offences for which such punishment may legally be inflicted ;

(iv) any lesser penalty or order which a magistrate in the exercise of his summary jurisdiction may impose or make, power to impose such punishment :

Provided that the person so charged, if the magistrate decides to proceed in accordance with sub-section (1) (c), shall be informed by the magistrate before any evidence is taken of his right to be tried in the High Court and such person consents to be tried by the magistrate :

Provided further that if the magistrate shall not so inform the person charged the trial shall be null and void *ab initio* unless the person charged consents at any time before being called upon to make his defence to being tried by the magistrate, in which case the trial shall proceed as if the person charged had consented to being tried by the magistrate before the magistrate proceeded to hear evidence in the case ;

(2) To receive and inquire into all charges of indictable offences, and to make such orders in respect thereof as may be required by the provisions of any Ordinance or Law for the time being in force in relation to procedure in respect of indictable offences, and

(3) Generally to do all such acts and things as may, by any Ordinance or Law, which is now or may hereafter be in force, lawfully appertain to the office of a magistrate.

20. Subject to the provisions of this and of any other Law or Ordinance the jurisdiction and powers of Senior Magistrates and Magistrates in criminal causes shall be as follows :—

Criminal jurisdiction of Senior Magistrates and Magistrates.

(a) Senior Magistrates : all those set out in section 19, save that the maximum fine of not exceeding five hundred pounds and the maximum period of imprisonment of not exceeding five years mentioned in that section shall be replaced by a sum of not exceeding two hundred pounds and a period of not exceeding two years and such limitation shall extend to any cause or matter whether or not the offence be one declared to be punishable or triable or liable to be dealt with on summary conviction or summarily or in a summary manner.

(b) Magistrates : all those set out in sub-section (a) herein save that the maximum fine and the maximum period of imprisonment shall in no cause exceed a sum of one hundred pounds or a period of one year's imprisonment respectively.

21. Where an offence is committed or any cause or matter arises over which a magistrate has jurisdiction in any ship, boat or canoe, such offence may be prosecuted or such cause or matter heard or determined either by the magistrate exercising jurisdiction over the place where the ship, boat or canoe may be at the time when the offence was committed or the cause or matter arose, or by the magistrate exercising jurisdiction over any place where the ship, boat or canoe may call at after the commission of the offence or the arising of the cause or matter.

Special jurisdiction in certain cases.

22. (1) The Governor may, on the recommendation of the Chief Justice, by writing under his hand authorise an increased jurisdiction in civil or criminal matters, or in both, to be exercised by any magistrate to such extent as the Chief Justice may on such recommendation specify. Such authority may at any time be revoked by the Governor by writing under his hand.

Power of Governor to increase jurisdiction of Magistrates.

(2) An order by the Governor under the preceding sub-section authorising an increased jurisdiction in criminal matters to be exercised by any magistrate shall specify the maximum fine and the maximum period of imprisonment which is to replace the maximum sums and periods mentioned in sections 18, 19 and 20 and on such order being made the jurisdiction of such magistrate under sections 18, 19 or 20 as the case may be, shall be deemed to be increased by the substitution of the maximum sum and the maximum fine and period of imprisonment so specified at each of the places where a particular sum, fine or period of imprisonment is mentioned in the said sections.

(3) An order under sub-section (1) may authorise such increased jurisdiction in respect of :—

(a) offences under a named Ordinance or Law or under named Ordinances or Laws ;

(b) offences specifically referred to under a named Ordinance or Law or named Ordinances or Laws ; or

(c) a particular offence for which a person is or persons are then charged.

Appeals
from native
courts.

23. Subject to the provisions of any other Law or Ordinance a magistrate shall hear and determine appeals from native courts within his jurisdiction in accordance with the provisions of the Law or Ordinance under which such native courts are constituted.

General
powers of
Magistrate.

24. Every magistrate shall have power to issue writs of summons for the commencement of actions in the High Court, to administer oaths and take solemn affirmations and declarations, to receive production of books and documents and to make such decrees and orders and issue such process and exercise such powers, judicial and administrative, in relation to the administration of justice, as shall from time to time be prescribed by any Ordinance or Law, or by rules of court, or subject thereto by any special order of the Chief Justice.

Acts of a
Magistrate
not affected
by error as to
venue.

25. (1) No act done by or under the authority of a magistrate shall be void or impeachable by reason that such act was done, or that any act, offence, or matter in respect of or in relation to which such act was done, occurred or was situated beyond the limits of the district of the jurisdiction of such court.

(2) If the defendant in any civil or criminal cause wherein such objection might but for this enactment be of force, shall at or before, but not after, the time when he is required to state his answer or to plead in such cause or matter before the court, allege specially any such objection, the court shall consider the same, and if there is *prima facie* proof of the objection the magistrate shall report such cause or matter to a judge and the judge shall make an order directing where the cause or matter shall be heard and determined, and such order shall not be subject to appeal.

Magistrates
to have
process of
High Court
executed.

26. Every magistrate shall, when required by the High Court, cause to be executed any writ or order or process issuing from the High Court, and shall take security from any person named in a writ or order for his appearance in the High Court, and shall, in default of security being given or when the High Court so orders, send the person to the place named in the writ.

Proceedings
by or
against
officer of
the court.

27. Subject to the provisions of section 10, any civil or criminal proceeding by or against any magistrate or officer of a magistrate's court for any offence or matter cognisable by a magistrate's court may be brought in the court of any other district, before a magistrate having jurisdiction and power in the case of any particular proceeding.

Administra-
tion of oaths
in
proceedings.

28. (1) Every magistrate and every justice of the peace is hereby authorised to administer all oaths which may require to be taken before him in the exercise of any of the jurisdiction and powers conferred upon him by this or any other Law or Ordinance.

(2) Any such oath may also be administered by the registrar or other officer of the court under the direction and in the presence of the magistrate.

LAW TO BE ADMINISTERED

29. Subject to the terms of this or any other Law or Ordinance, the common law, the doctrines of equity and the Statutes of general application which were in force in England on the 1st January, 1900, shall be in force within the jurisdiction of the courts constituted by this Law.

Application
of English
Law.

30. (1) All Imperial laws declared to extend or apply to the jurisdiction of the courts constituted by this Law shall be in force so far only as the limits of the local jurisdiction and local circumstances permit and subject to any existing or future local Law.

Rules as to
the
application
of Imperial
Laws.

(2) For the purpose of facilitating the application of the said Imperial laws, they shall be read with such formal alterations, not affecting the substance, as to names, localities, courts, offices, persons, moneys, penalties and otherwise as may be necessary to render the same applicable to the circumstances.

(3) Every magistrate or officer of any of the said courts having or exercising functions of the like kind, or analogous to the functions of any magistrate, justice of the peace or officer referred to in any such law, shall be deemed to be within the meaning of the enactments thereof relating to such last mentioned officer.

(4) Whenever the great seal or any other seal is mentioned in any such law it shall be read as if the seal of the court were substituted therefor.

(5) In matters of practice all documents may be written on ordinary paper, notwithstanding any practice or directions as to printing or engrossing on vellum, parchment or otherwise.

31. (1) In every civil cause or matter which shall come in dependence in any of the magistrate's courts constituted by this Law law and equity shall be administered concurrently.

Law and
equity to be
concurrently
administered
but
equity to
prevail in
certain cases.

(2) A magistrate in the exercise of the jurisdiction vested in him by this Law shall have power to grant, and shall grant, either absolutely or on such reasonable terms and conditions as shall seem just, all such remedies or relief whatsoever, interlocutory or final, as any of the parties thereto may appear to be entitled to in respect of any and every legal or equitable claim or defence properly brought forward by them respectively, or which shall appear in such cause or matter; so that as far as possible all matters in controversy between the said parties respectively may be completely and finally determined, and all multiplicity of legal proceedings concerning any of such matters avoided.

(3) In all causes or matters in which there is any conflict or variance between the rules of equity and the rules of the common law with reference to the same subject the rules of equity shall prevail.

32. (1) Nothing in this Law shall deprive a magistrate appointed under this Law of the right to observe and enforce the observance, or shall deprive any person of the benefit, of any native law or custom existing in Nigeria, such law or custom not being repugnant to natural justice, equity and good conscience, nor incompatible either directly or by necessary implication with any law for the time being in force.

Application
of native
laws.

(2) Such laws and customs shall be deemed applicable in causes and matters where the parties thereto are natives, and also in causes and matters between natives and non-natives where it may appear to the court that substantial injustice would be done to either party by a strict adherence to the rules of English law.

(3) No party shall be entitled to claim the benefit of any local law or custom, if it shall appear either from express contract or from the nature of the transactions out of which any suit or question may have arisen, that such party agreed that his obligations in connection with such transactions should be regulated exclusively by English law or that such transaction is a transaction unknown to native law and custom.

RECONCILIATION

Courts to promote reconciliation.

33. In civil cases magistrates and their officers shall, as far as there is proper opportunity, promote reconciliation among persons over whom such magistrates have jurisdiction, and encourage and facilitate the settlement in an amicable way and without recourse to litigation of matters in difference among them.

In pending civil cases.

34. Where a civil suit or proceeding is pending, the magistrate may promote reconciliation among the parties thereto and encourage and facilitate the amicable settlement thereof.

In which criminal cases.

35. In criminal cases a magistrate 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 felony and not aggravated in degree, on terms of payment of compensation or other terms approved by him, and may thereupon order the proceedings to be stayed.

CREDIT TO NIGERIANS

Credit to Nigerians.

36. Magistrates shall not enforce against a Nigerian living in any area specified by Order of the Governor in Council under this section, which Order the Governor in Council is hereby empowered to make, any obligation incurred by him towards a person in respect of a commercial transaction, so far as it is based on credit, if the court is satisfied that the Nigerian was not reasonably aware of the nature of the obligation and the consequence of failure to perform the same.

POWER OF TRANSFER

Transfer between Magistrates in same districts.

37. When the Chief Justice assigns two or more magistrates to any district any such magistrate within such district may, at any stage of the proceedings before final judgment, transfer, within the limits of such district, any cause or matter before him to any other such magistrate and such cause or matter shall be commenced *de novo*, enquired into, tried and disposed of, by any magistrate of competent jurisdiction to whom it has been transferred as if it had been instituted before him :

Provided that no cause or matter which has been specifically transferred by the High Court for inquiry or trial by a particular magistrate shall again be transferred without leave of a judge.

38. A magistrate may, of his own motion, or on the application of any person concerned, report to a judge the pendency of any cause or matter, civil or criminal, which in the opinion of such magistrate ought for any reason to be transferred from his court to any other magistrate's court or to the High Court. Such judge shall direct in what mode and where the cause or matter shall be heard and determined.

Magistrates may report causes for transfer.

39. (1) The Chief Justice or a judge may at any time and at any stage thereof before judgment transfer any cause or matter before a magistrate's court to any other magistrate's court or to a Native Court or to the High Court and such cause may be transferred either entirely or in respect of any part thereof or procedure required to be taken therein.

Transfer of causes by a judge.

(2) The power of transfer shall be exercised by means of an order under the hand of the Chief Justice or a judge, as the case may be, and seal of the court, and may apply either to any particular cause or causes, matter or matters in dependence either entirely or in respect of any part thereof or procedure required to be taken thereon, or generally to all such causes and matters as may be described in such order, and in the latter case may extend to future causes or matters as well as to such as may at the time of making such orders be in dependence.

Manner of its exercise.

(3) The Chief Justice or judge, as the case may be, may at all times cancel, alter, add to or amend any such order.

(4) The Chief Justice or judge, as the case may be, may if it appear expedient, telegraph in the first instance the contents of any such order made by him, and such telegram shall, until receipt of the said order, have the same validity and effect as if it were the said order.

40. (1) Every order of transfer shall operate as a stay of proceedings in the court to which it may be addressed 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 an attested copy of all entries in the books of the court relative thereto, shall be transmitted to the 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.

Effect of order of transfer.

(2) Any order given under sections 37, 38 or 39 shall not be subject to appeal.

APPEALS AND REVISION

41. Subject to the conditions and limitations set forth in any Ordinance or Law providing for appeals from the decisions of magistrates in respect of criminal and civil cases, an appeal shall lie to the High Court from the judgments, decisions and orders of the magistrate in the exercise of his civil and summary criminal jurisdiction, and shall be made in accordance with and subject to the provisions of the said Ordinance or Law.

Appeals from decisions of Magistrates' courts.

Monthly lists to be sent to judge.

42. (1) The Chief Justice may require specified magistrates to forward at the expiration of every calendar month to the Chief Justice or to such other judge as the Chief Justice may designate, in such form as rules of court may direct, a list containing all criminal cases or specified criminal cases decided by or brought before such magistrates.

(2) Upon receipt of such list the Chief Justice or judge may, if he thinks fit, call for a copy of the record of any case included therein, and, either without seeing such record or after seeing such record as he may determine, and either without hearing argument or after hearing argument as he may determine, may :—

(a) subject to any enactment fixing a minimum penalty, reduce a sentence or modify an order in such form as he thinks fit ; or

(b) annul the conviction, in which case the person under detention shall be forthwith set at liberty, or in the case of a fine such fine, if already paid, shall be refunded to the person fined, or if security has been required and given he shall be freed from such security ; or

(c) annul the conviction and convict the accused of any offence of which he might have been convicted on the evidence, and sentence him accordingly ; or

(d) annul the conviction and substitute a special finding to the effect that the accused was guilty of the act or omission charged, but was insane so as not to be responsible for his action at the time when he did the act or made the omission, and order the accused to be confined as a criminal lunatic in a lunatic asylum, prison, or other suitable place of safe custody and shall report the case for the order of the Governor ; or

(e) order a new trial before the court which passed sentence or before any other court ; or

(f) order further evidence to be taken either generally or on some particular point by the court which passed sentence or by any other court, and order in the meantime any person who shall have been convicted and imprisoned to be released on bail or on his own recognisance ; and

(g) make any order as justice may require, and give all necessary and consequential directions :

Provided that when a person convicted shall have appealed against such conviction, or when the magistrate shall have reserved any point of law for the consideration of the High Court and shall have stated a case thereon, the judge shall not exercise the power by this section conferred until after the conclusion of the proceedings upon such appeal or stated case.

(3) When action upon the list as prescribed in sub-section (1) is complete or if the judge shall decide to take no such action, he shall direct that the list be filed ; but such direction shall not have the effect of preventing him or his successor from subsequently taking any action prescribed in sub-section (1) if he shall think fit :

Provided that three months after the last day of the month to which the list relates he shall become *functus officio* in respect of all cases upon the list in respect of which he shall not up till then have taken any action.

43. In addition to and without prejudice to the right of appeal conferred by any Ordinance or Law any magistrate may reserve for consideration by the High Court on a case to be stated by him, any question of law which may arise in any cause or matter before him or in any appeal before him and may give any judgment or decision subject to the opinion of the High Court.

Reservations of questions of law for opinion of High Court.

PART V.—SITTINGS OF THE COURT

44. The Chief Justice may by notice appoint the times and places for the sittings of the courts, and may in like manner alter any such times or places.

Fixing of times and places for sittings of the court generally.

45. At any sitting of the court both civil and criminal causes and matters may be heard, determined and dealt with, or either one or the other.

Nature of business at any sitting

46. (1) The magistrate may adjourn the court from day to day or to any convenient day.

Adjournment of the court.

(2) If the magistrate is not present at the time and place appointed for any sitting of the court, an officer of the court or any other person authorised in that behalf by the magistrate, may, by public notice, written or oral, adjourn the sitting until such time and to such place as may have been communicated to him by the magistrate, and, in the absence of any such communication, to such time and to such place as may be convenient; and all persons bound to be present at the sitting so adjourned shall be equally bound to be present at the time and place appointed by such notice.

(3) In the absence of any such notice and of any notification to the contrary, all such persons shall be bound to be present at the next succeeding time appointed as aforesaid or otherwise for the sitting of the court in the same place.

47. When any day appointed for the sitting or adjourned sitting of the court falls on a Sunday or a public holiday, the magistrate shall in such case, if practicable, attend and transact the business appointed to be heard at such sitting as aforesaid on the day (not being a Sunday or public holiday) next after the day appointed for such sitting.

Adjournment over Sunday or holiday.

48. Subject to the provisions of section 44, the court shall be held only at a place appointed for the sitting of the court; but, on the application of either party or otherwise, the hearing of any case appointed for one such place may, in the discretion of the magistrate, be appointed to be taken by him at another such place within or without the district.

Change of place of hearing of case.

PART VI.—PRACTICE AND PROCEDURE OF THE COURT

Practice and procedure.

49. The practice and procedure of the court :—

Civil Jurisdiction.

(a) in its civil jurisdiction shall be regulated by Rules made by the Chief Justice ;

Criminal jurisdiction. Cap. 43.

(b) in its criminal jurisdiction shall be regulated in accordance with the provisions of the Criminal Procedure Ordinance ;

Interpleader cases.

(c) where any claim is made to any immovable property taken in execution under the process of the court whether civil or criminal, shall be as prescribed in any Ordinance or Law relating thereto.

Completion by magistrate of process begun by his predecessor.

50. Where a magistrate has issued any summons or warrant, or otherwise taken or commenced any proceeding or matter whether civil or criminal, under any authority however conferred, and subsequently ceases to act as such magistrate, it shall be lawful for the person in whose hands such summons or warrant may be to execute or serve the same in the same manner as if the magistrate who issued such summons or warrant had not ceased to act as such magistrate and any successor of such magistrate, or any person acting for such magistrate, may hear, determine, execute, enforce and carry to completion any proceeding or matter so commenced as aforesaid, save that such magistrate shall commence the trial of any such cause or matter *ab initio*.

Process of magistrate valid throughout the Western Region of Nigeria.

51. All summonses, warrants, orders, judgments, writs of execution, or other process or proceedings, whether civil or criminal, issued or taken by or by the authority of any magistrate respecting any cause or matter within his jurisdiction shall have full force and effect, and may be served or executed, anywhere in the Western Region of Nigeria or outside the Western Region of Nigeria as may be prescribed by any Federal Ordinance or any other Law by a bailiff of the court or by the member of the police force to whom the same are directed, or by any other member of the police force.

Issue of process.

52. All summonses, warrants, orders, convictions and recognisances, and all other process, whether civil or criminal, shall be issued or made under the hand of a magistrate or other officer prescribed by Law.

In which cases prisoners may be brought by warrant to give evidence.

53. A magistrate may issue a warrant under his hand for bringing up any person confined as a prisoner under any sentence or order of commitment for trial, or otherwise, or under civil process to be examined as a witness in any case depending, or to be enquired of, in the court :

Provided that such warrant shall not be granted as of course, nor unless the magistrate shall have probable grounds for believing that the evidence of the prisoner is likely to prove material.

PART VII.—MISCELLANEOUS PROVISIONS

FEES AND COSTS

54. The fees and costs set forth in the rules of court made under this Law may be demanded and received by the registrars or other persons appointed to receive such fees and costs for and in respect of the several matters therein mentioned :

Fees and
Costs.

Provided that in the absence of the registrar or in the event of there being no registrar or other person appointed to receive such fees and costs, such fees and costs may be demanded and received by the magistrate.

55. All fees and costs payable under or by virtue of this Law shall in the first instance be paid by the party applying for the summons, warrant, or other process or document in respect whereof the same are payable :

By whom
fees
payable.

Provided that no fees shall be payable in any case instituted by an officer of the Government of the Western Region when acting in his official capacity or in any case in which the magistrate or justice of the peace endorses on the plaint, information or complaint as the case may be that it is a fit one for the remission of fees on account of the poverty of the party or for any other sufficient reason ; and in every such case such fees and costs shall, in the discretion of the magistrate, be recoverable from the other party, if the decision be given against him.

Fees not
payable by
public
officers or
may be
remitted.

56. Sections 54 and 55 shall apply to all moneys received by the registrar or other person of the court, under the provisions of this or any other Law or Ordinance, whether the same be fees, costs, fines, forfeitures, penalties, or money paid into court for any purpose, or received or recovered under or by virtue of any process of execution or distress.

All fees and
moneys
received in
courts to be
subject to
foregoing
provisions.

PROTECTION OF MAGISTRATES, JUSTICES OF THE PEACE
AND OFFICERS OF THE COURT

57. (1) No magistrate, justice of the peace or other person acting judicially, shall be liable to be sued in any civil court for any act done or ordered to be done by him in the discharge of his judicial duty whether or not within the limits of his jurisdiction :

Protection of
judicial
officers.

Provided that he at the time, in good faith, believed himself to have jurisdiction to do or order the act complained of.

(2) No officer or any court or other person bound to execute the lawful warrants or orders of any such magistrate, justice of the peace or other person acting judicially, shall be liable to be sued in any civil court, for the execution of any warrant or order which he would be bound to execute, if within the jurisdiction of the person issuing the same.

REPRESENTATION OF PARTIES

58. (1) In the case of a prosecution by or on behalf of the Crown or by any public officer in his official capacity, the Crown or that officer

Representa-
tion of the
Crown and
Government
departments.

may be represented by the Attorney-General, crown counsel, administrative officer, police officer or by any legal practitioner or other person duly authorised in that behalf by or on behalf of the Attorney-General or, in revenue cases, authorised by the head of the department concerned.

(2) In any civil cause or matter in which the Crown or any public officer in his official capacity is a party or in any civil cause or matter affecting the revenues of Nigeria the Crown or that officer may be represented by the Attorney-General, crown counsel, administrative officer or by any legal practitioner or other person duly authorised in that behalf by or on behalf of the Attorney-General or, in revenue cases, authorised by the head of the department concerned.

(3) In the case of a prosecution by or on behalf of a local government council or in any suit brought by or against such council it may be represented in the court at any stage of the proceedings by any councillor, officer or employee of the council who shall satisfy the magistrate that he has the authority to represent the council.

Representa-
tion of first
and second
class chiefs.

59. In any suit brought by or against a first or second class chief in either his official or personal capacity such chief may be represented in the court at any stage of the proceedings by any native of his chieftom who shall satisfy the magistrate that he has the authority to represent such first or second class chief.

Right of
appearance
of legal
practi-
tioners.

60. Subject to the provisions of this or any other Law or Ordinance legal practitioners may appear in any cause before the Court.

RULES OF COURT

Rules of
Court.

61. (1) The Chief Justice with the approval of the Minister of Justice may make rules of court for all or any of the following purposes :—

(a) for regulating the practice and procedure of magistrates' courts in matters not specifically provided for in this or any other Law or Ordinance ;

(b) for regulating the forms to be used in proceedings before the court and all matters connected therewith ;

(c) for regulating the receipt of moneys paid into court, or received or recovered under or by virtue of any process of execution or distress ;

(d) for regulating the payment out of court of all moneys, to the persons entitled thereto ;

(e) for prescribing the books and forms of accounts to be kept or used in magistrates' courts ;

(f) for prescribing fees, costs and amounts for service of process which may be demanded and received by registrars and others in connection with the practice and procedure of the court ;

(g) for prescribing the acceptance, retention and disposal of fees and costs ;

(h) for fixing tables of fees and costs recoverable by legal practitioners for their service on taxation and providing for the taxation of the same ;

(i) for providing for the service or execution of any writ, warrant, order or other process issuing out of or transmitted by a native court for service in like manner as similar process issuing out of the High Court ; the payment of mileage before and after service or execution ; the conditions precedent before any such process or process of certain classes will be served or executed and the procedure to be followed after the service or execution of such process, and

(j) for regulating the practice and procedure on appeals and the fees and costs thereon and in particular for the waiving or remission of any fees in respect of appeals by poor persons ;

(k) for the better carrying into effect of the provisions and objects and intentions of this Law.

(2) In such rules of court the Chief Justice may provide :—

(a) for different practice and procedure ;

(b) for different internal administration of courts ;

(c) for different tables of fees and costs to be chargeable by legal practitioners,

in respect of courts in the Western Region of Nigeria and in different parts of the Western Region of Nigeria to be named in such rules.

(3) Until such rules of court are made under this section the provisions of the Magistrates' Courts (Civil Procedure) Ordinance together with the rules of court made thereunder and the rules of court made under the authority of the Magistrates' Courts Ordinance and the Magistrates' Courts (Appeals) Ordinance in force on the first day of August, 1954 shall apply and shall be deemed to be rules made under this section except in so far as they are inconsistent with the provisions of this Law and all references to the Supreme Court in the aforesaid Ordinance and rules shall be deemed to be references to the High Court established under the High Court Law, 1954.

Cap. 122.

Cap. 123.

Cap. 124.

SAVING

62. (1) All proceedings instituted, commenced or taken in accordance with the rules or practice of a Magistrate's court established in accordance with the Magistrates' Courts Ordinance in respect of any cause pending at the coming into force of this Law shall be valid and effectual as though they had been instituted, commenced or taken in accordance with the provisions of this Law and such proceedings shall continue before the court in accordance with the provisions of this Law.

Saving of
pending
proceedings.
Cap. 122.

(2) The magisterial districts in the Western Region in being at the coming into operation of this Law shall be deemed to have been established under the provisions of this Law.

Saving of existing appointments of justices of the peace and other officers.

63. Nothing in this Law shall be construed :—

(a) To affect the appointment or tenure of office of any Chief Magistrate or Magistrate of the first grade who is performing duties in the Western Region as such Magistrate on the coming into operation of this Law. All such Magistrates shall be deemed to have been appointed Chief Magistrate or Magistrate respectively and to exercise their respective duties in the Magistrates' courts established under this Law in the districts in which they were serving on the coming into operation of this Law and shall thereafter be subject to the provisions of this Law :

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Provided that any Magistrates who have not attained the qualifications required for their appointment under the provisions of this Law shall continue to receive the same scale of salary as they would have been receiving had their appointment under the Magistrates' Courts Ordinance continued uninterrupted until such time as they qualify to be Magistrates under the provisions of this Law and then they shall be entitled to receive and shall receive the salaries specified in accordance with the provisions of this Law.

(b) To affect the status, appointment or tenure of office of any justice of the peace holding office as such on the coming into operation of this Law ; such justice of the peace shall be deemed to have been appointed as such under this Law and thereafter to be subject to the provisions of this Law :

Provided that where such justice of the peace has conferred upon him certain duties any such justice of the peace shall not unless further duties are conferred on him, exercise under this Law duties in excess of those previously conferred on him ; and

Cap. 122.

(c) to affect the appointment or tenure of office of any registrar, deputy registrar or other officer performing duties in connection with a court constituted by the Magistrates' Courts Ordinance on the coming into force of this Law and shall thereafter be subject to the provisions of this Law.

Cap. 122.

64. Wherever in any Ordinance, Law, rule of court, or other document reference is made to a magistrate's court established in accordance with the provisions of the Magistrates' Courts Ordinance, such reference shall be read, in so far as the context will permit, to mean a reference to a magistrate's court established in accordance with the provisions of this Law, and where in any such Ordinance, Law, rule of court, or other enactment reference is made to any magistrate, registrar or other officer of a magistrate's court such reference shall be read, so far as the context will permit, to mean a magistrate, registrar or other officer as aforesaid or a magistrate's court established under the provisions of this Law.

PART VIII.—SALARIES OF MAGISTRATES

Magistrates' salaries.

65. Subject to the provisions of the proviso to section 63 (a) there shall be paid to Magistrates the following salaries :—

Chief Magistrate—two thousand pounds per annum ;

Senior Magistrate—one thousand six hundred pounds per annum.

Magistrate—one thousand pounds per annum :

Provided however that nothing in this section shall operate to the disadvantage of any serving officer.

PART IX.—APPEALS

66. Subject to any express provisions to the contrary in any other written law and to the provisions of this Law any person aggrieved by a decision or judgment of a magistrate may appeal therefrom to the appeal court.

Right of appeal from decisions and judgments of magistrates.

67. An appeal shall not operate as a stay of execution but the court below the appeal court may order a stay of execution either unconditionally or upon the performance of such conditions as may be imposed by rules of court.

Appeal not to operate as stay of execution.

RIGHT OF APPEAL IN CRIMINAL CASES

68. Any person aggrieved by a conviction or order by a magistrate in a criminal case in respect of any charge to which he pleaded not guilty or of which he did not admit the truth may appeal to the appeal court from such conviction :

Right of appeal in criminal cases by a person who pleaded not guilty.

Provided that no such appeal shall lie :—

(a) in respect of any such conviction for an offence punishable by fine only and not by imprisonment other than a sentence of imprisonment imposed on default of payment of the fine, where the fine imposed does not exceed the sum of five pounds, or

(b) where the order does not relate to an amount or thing to the value of five pounds and upwards.

69. In any criminal case a person who had pleaded guilty to or admitted the truth of any charge and who is convicted thereof may, save where the sentence imposed is one fixed under the provisions of any written law, appeal to the appeal court against such sentence.

Right of appeal where plea of guilty.

70. Where an accused person has been acquitted or an order of dismissal made by a magistrate the prosecutor may appeal to the appeal court from such acquittal or dismissal on the ground that it is erroneous in law or is in excess of the jurisdiction of the magistrate.

Appeal against acquittal or dismissal.

71. (1) Any person aggrieved by a decision of the appeal court in a criminal case may appeal to the court of further appeal on a matter of law but not of fact or of sentence save with the leave of the court of further appeal.

Further appeal.

(2) Every such appeal shall be entered within thirty days of the order appealed against and subject to any rules of court applicable to

the court of further appeal the provisions of this Law relating to procedure or appeal from a decision of a Magistrate to the Appeal Court and the judgment which may be pronounced thereon shall *mutatis mutandis* apply to an appeal to the court of further appeal.

Where an appeal lies in civil cases.

72. Where in any civil proceedings a decision, judgment or order of a magistrate :—

(a) is given in respect of a sum of twenty-five pounds and upwards ; or

(b) determines directly or indirectly a claim or question respecting money, goods or other property or any civil right or other matter of the amount or to the value of twenty-five pounds and upwards, any person aggrieved may, subject to such conditions as may be prescribed, appeal therefrom to the appeal court.

Procedure on appeal from an *ex-parte* order.

73. An appeal shall not lie directly from an order made *ex-parte* but any person aggrieved by such order may apply to the court to vary or discharge it and an appeal will lie from the decision on such application in a like manner as an appeal from other civil proceedings.

Power of appeal court in civil cases.

74. On the hearing of an appeal the appeal court may draw any inference of fact and either :—

(a) order a new trial on such terms as the court thinks just ; or

(b) order judgment to be entered for any party ; or

(c) make a final or other order on such terms as the court thinks proper to ensure the determination on the merits of the real question in controversy between the parties.

Further appeals.

75. Any person aggrieved by a decision of the appeal court in a civil case may appeal to the court of further appeal in the same manner as if such appeal were from a decision of the High Court in the exercise of its original civil jurisdiction.

PROCEDURE ON APPEAL IN CRIMINAL CASES

Notice of appeal to be given.

76 (1) An appeal shall be commenced by the appellant giving to the registrar of the court below notice of such appeal which may be verbal or in writing, and if verbal shall be forthwith reduced to writing by the registrar and signed by the appellant, or by a legal practitioner if a legal practitioner is representing him.

Limitation of time.

(2) The notice of appeal shall be given in every case before the expiration of the thirtieth day after the day on which the court has made the decision appealed against.

Verbal notice of appeal in court.

77. Where an appellant gives verbal notice of appeal at the time of the pronouncement of the decision and before the opposite party or the legal practitioner representing him has left the court such verbal notice of appeal shall be recorded by the court with a note of the presence of the respondent or the legal practitioner representing him and written notice of appeal shall not thereafter be necessary.

78. (1) When notice of appeal, whether verbal or written, has been given and the appellant has, before the expiration of the fourteenth day after the day on which the notice of appeal has been given, deposited such sum as the court may estimate to be necessary for the cost of the required number of certified copies of the proceedings and judgment, the court shall as soon as may be thereafter furnish the appellant with such copies.

Copy of proceedings and judgment to be furnished on payment or in certain cases free.

(2) Where the court is satisfied that owing to poverty the appellant is unable to deposit the full or any of the amount required for the necessary copies of the proceedings and judgment the court may direct the acceptance of a specified lesser sum or that the necessary copies of the proceedings and judgment be supplied to the appellant free of charge, as the case may be. Where the court directs that the necessary documents be supplied free the date upon which such direction is given shall, for the purposes of sub-section (1) be deemed to be the date of deposit of the sum referred to therein.

(3) Such notice shall be in the form prescribed.

79. (1) Every appellant shall also within thirty days of the date of the pronouncing of the decision appealed against file with the registrar of the court below a memorandum setting forth the grounds of his appeal.

Memorandum of grounds of appeal.

(2) The memorandum of the grounds of appeal may be filed at the time the notice of appeal is given or at any other time within the time hereinbefore mentioned and may be either attached to the notice of appeal or be in a separate document.

(3) Every memorandum of the grounds of appeal shall be signed by the appellant or the legal practitioner representing him.

80. If the appellant is in prison he may present his notice of appeal and the memorandum of the grounds of appeal to the officer in charge of the prison who shall thereupon forward such notice and memorandum to the registrar of the court below.

How prisoner may appeal.

81. An appellant shall file as many copies of his memorandum of grounds of appeal and when notice of appeal is a written notice as many copies of that notice, as there are parties to be served in addition to the copies for the court.

Copies to be filed for service.

82. A memorandum of the grounds of appeal may set forth all or any of the following grounds, and no others, that is to say :—

- (a) that the magistrate's court had no jurisdiction in the case ; or
- (b) that the magistrate's court has exceeded its jurisdiction in the case ; or
- (c) that the magistrate was personally interested in the case ; or
- (d) that the magistrate has acted corruptly or maliciously in the case ; or
- (e) that the decision has been obtained by fraud ; or

(f) that the case has already been heard or tried and decided by or forms the subject of a hearing or trial pending before a competent court :

Provided that it shall not be competent for the appeal court to entertain as a ground of appeal the special plea of *autrefois acquit* or *autrefois convict* unless such plea were pleaded in the court below.

(g) that admissible evidence has been rejected, or inadmissible evidence has been admitted, by the magistrate's court and that in the latter case there is not sufficient admissible evidence to sustain the decision after rejecting such inadmissible evidence ; or

(h) that the decision is altogether unwarranted, unreasonable and cannot be supported having regard to the weight of evidence ; or

(i) that the decision is erroneous in point of law ; or

(j) that some other specific illegality, not hereinbefore mentioned and substantially affecting the merits of the case, has been committed in the course of the proceedings in the case.

(k) that the sentence passed on conviction is excessive or inadequate, unless the sentence is one fixed by law.

Grounds of appeal to be clearly set forth.

83. (1) The appellant shall set forth in his memorandum of grounds of appeal the particular matter on which he relies or of which he complains.

(2) Where the appellant relies upon the ground of appeal mentioned in paragraph (f) of section 82 the name of the tribunal shall be stated and, if a decision is alleged, the approximate date of such decision.

(3) Where the appellant relies upon the ground of appeal mentioned in paragraph (i) of section 82 the nature of the error shall be stated and where he relies upon the ground of appeal stated in paragraph (j) of that section the illegality complained of shall be clearly specified.

Transmission by registrar of proceedings in case under appeal.

84. (1) On the appellant giving or serving notice of appeal and filing the memorandum of his grounds for appeal and also complying with the requirements of section 87 or section 89 as the case may be, the registrar shall as soon as may be thereafter transmit to the registrar of the High Court of the judicial division of the High Court in which the court is situate, the decision which is appealed against, a copy of the proceedings in the case duly certified under the hand of the magistrate for the time being of the court, consisting of a copy of the complaint or charge and plea of the notice of evidence taken in the case, of the notice of appeal, of the memorandum of grounds of appeal served on the magistrate and of the recognisance and all other documents connected with the case together with any exhibits received in evidence in the case, except unwieldy, perishable or malodorous exhibits.

(2) It shall not be necessary for the magistrate to transmit any conviction or order formally drawn up, unless express objection has been taken in the memorandum of the grounds of appeal on account of some omission or mistake in such conviction or order, as formally drawn up, and in all other cases of convictions and orders it shall be

sufficient for the magistrate to transmit in place of such formal instrument a copy of the minute or memorandum of the conviction or order required to be made under the provisions of the Criminal Procedure Ordinance. Cap. 43.

(3) The magistrate shall also transmit with the copy of the proceedings a true copy of his reasons for the decision appealed against.

85. On receiving the notice of appeal and the memorandum of the grounds of appeal under section 83, the appeal court shall peruse the same and if it considers that there is no sufficient ground for interfering, it may dismiss the appeal summarily : Power to dismiss appeal summarily.

Provided that no appeal shall be dismissed unless the appellant or the legal practitioner appearing for him has had a reasonable opportunity of being heard in support of the same.

86. If the appeal court does not dismiss the appeal summarily, it shall cause notice to be given to the appellant and to the respondent or to their respective legal practitioners, if any, on the record and if one of the parties is a public officer, to the Attorney-General, of the time and place at which such appeal will be heard and shall furnish the Attorney-General with a copy of the proceedings and of the notice and grounds of appeal and the provisions of the Criminal Procedure Ordinance shall apply to such service. Notice of time, place and hearing.
Cap. 43.

87. (1) Within thirty days after the pronouncing of the decision the appellant shall, unless he remains in custody under the provisions of section 89, enter into a recognisance in the prescribed form, with or without a surety as the magistrate may require, in such sum as the magistrate may specify or, in lieu of furnishing a surety or sureties, as the case may be, he may deposit with the magistrate the sum required. Giving security to prosecute the appeal.

(2) The condition of the recognisance shall be for the due prosecution of the appeal and for abiding the result thereof, including all costs of the appeal or otherwise.

(3) In estimating the sum aforesaid the magistrate shall take into consideration the amount of any fine imposed and the sum, if any, awarded to the respondent and the costs of the trial in the magistrate's court or if the appellant has been sentenced to imprisonment without the option of a fine, the period of his sentence of imprisonment and in each case a sum not exceeding ten pounds to cover the costs of the appeal in the appeal court.

(4) If there shall be any breach of the recognisance the deposir, if any, shall be forfeited and shall be applied to discharging the condition of the recognisance.

(5) If the appellant is in custody he shall be released from such custody on bail, on the order of the magistrate, on complying with this section as to security for prosecuting the appeal and abiding the results thereof.

(6) If the appellant who is in custody is not within the district of the magistrate from whose decision the appeal is made, any magistrate of the district in which such appellant is residing shall have the powers and functions given and assigned to the magistrate by this section.

Procedure when appellant defaults in prosecuting appeal Cap. 43.

88. (1) If the appellant makes default in duly prosecuting his appeal, the magistrate shall thereupon either treat the recognisance as forfeited and deal with the same in accordance with the provisions of the Criminal Procedure Ordinance, relating to forfeited recognisances, or make such order as may be just with respect to the amount lodged by the appellant, as the case may be.

(2) If the appellant making such default has been released from custody under the provisions of the last preceding section and if he remains or becomes liable to be kept in custody, the magistrate or the appeal court shall forthwith issue a warrant for his apprehension, in order that he may be rendered to prison accordingly.

Where surety not found or money not deposited.

89. (1) A person sentenced to imprisonment without the option of a fine who gives notice of appeal and is unable to find the necessary surety or sureties, if any, or to deposit money in lieu of a surety or sureties may nevertheless prosecute his appeal by entering into a recognisance without a surety conditioned for payment of the costs of the appeal provided that he remains in custody pending the hearing of the appeal, and in such case the magistrate shall, by warrant under his hand, direct the appellant to be detained in custody accordingly, and shall, in such warrant, intimate to the officer in charge of the prison that notice of appeal has been given.

(2) The appellant shall in such case be detained in custody pending the determination of his appeal and may be taken without any fresh order or warrant in custody of a police officer to the appeal court to attend the hearing of the appeal.

(3) Notwithstanding anything in this section contained, an appellant may, at any time before his appeal is heard, enter into a recognisance in the form and subject to the conditions in section 87 set forth, and thereupon he shall be liberated unless he is in custody in respect of any other charge or matter.

(4) Where a conviction is confirmed on appeal and the appellant has been in custody pending the hearing of the appeal the appeal court shall direct that all of such period of custody shall count as imprisonment towards the term to which the appellant has been sentenced.

Abandonment of appeal.

90. (1) An appellant may serve written notice upon the registrar of the court below that he abandons his appeal, and thereupon the provisions of section 97 of this Law shall apply as if the appeal court had affirmed the decision of the magistrate.

(2) The registrar of the court below shall give notice to the registrar of the appeal court and to the respondent of the abandonment of the appeal.

91. Every criminal appeal, other than an appeal from a sentence of fine, shall finally abate on the death of the appellant. Abatement of appeals.

PROCEDURE ON APPEAL IN CIVIL CASES

92. Subject to the provisions of this Law the procedure practice and manner of appeals in civil proceedings shall be in accordance with the rules made under this Law, the Supreme Court Ordinance, 1943, and any other written law empowering the making of such rules. Civil appeals to be in accordance with rules. Cap. 211.

93. (1) Where the amount in dispute or the value of the subject matter in any civil proceedings is less than twenty-five pounds a judge of the High Court, either of his own motion or on the application within fourteen days by any party aggrieved by the decision of the magistrate on the ground that it is wrong in law, may call for the proceedings and the grounds of judgment and give such orders thereon either by directing a new trial or by reversing or varying such decision as may appear to him to be expedient. Review in certain cases.

(2) The judge may at any stage direct a stay of execution of the magistrate's decision for such time and upon such security as to him may seem fit, and vary such direction as circumstances may require when making an order as aforesaid.

(3) The appearance of the parties to such civil proceedings or any of them at such review shall be in the entire discretion of the judge who may, when such review is not of his own motion, award costs not exceeding the sum of five pounds.

(4) Subject to any Federal law no appeal shall lie from any direction or order made by a judge under this section, nor shall any question be reserved by him for consideration by the court of further appeal.

HEARING AND JUDGMENT

94. Appeals from magistrates' courts shall be heard by one judge of the High Court : Constitution of Court hearing appeals and cases stated.

Provided that any judge of the High Court may reserve for the consideration of the court of further appeal on a case to be stated by him, any question of law which may arise on the trial of such appeal before such judge.

95. The appeal shall come on for hearing at such time and at such place as the registrar of the appeal court shall notify to the parties. Time and place for hearing.

96. (1) In all criminal appeals where the appellant is not in custody and in all civil appeals the appellant shall be entitled to be present at the hearing of the appeal and may appear either in person or by a legal practitioner. Appearance of parties.

(2) In a criminal appeal an appellant who is in custody shall not be entitled as of right to be present at the hearing of the appeal but his attendance or otherwise shall be in the discretion of the appeal court and every such person shall be entitled to be represented at the hearing of the appeal and may either appear in person or by a legal practitioner.

Where
appellant
fails to
appear

97. (1) If, on the day of hearing or at any adjournment of the case, the appellant does not appear, the case shall be struck out and the decision shall be affirmed, unless the appeal court thinks fit, for sufficient cause, to order otherwise.

(2) If in any such case the respondent appears, the judgment shall be with costs of the appeal against the appellant, unless the appeal court expressly orders otherwise; but if the respondent does not appear, the costs of the appeal shall be in the discretion of the court.

Where
appellant
appears.

98. If, on the day of hearing and at every adjournment of the case, the appellant appears, the appeal court shall, whether the respondent appears or not, proceed to the hearing or further hearing and the determination of the case, and shall give judgment according to the merits of the case without regarding any imperfection or defect of form:

Provided that if it appears or is proved to the court that the appellant has not complied with the requirements precedent to the hearing of an appeal hereinbefore contained the court shall dismiss the appeal and affirm the decision, with or without costs of appeal against the appellant.

Appeal
limited to
grounds
given in
notice.

99. On the hearing, it shall not be competent for the appellant to go into any other reasons for appeal than those set forth in his notice of grounds for appeal:

Provided that where, in the opinion of the appeal court, other grounds for appeal than those set forth in the memorandum of grounds for appeal should have been given, or the statement of grounds of appeal is defective, the court, in its discretion, may allow such amendments of the memorandum of grounds for appeal upon such conditions as to service upon the respondent and as to costs as it may think fit.

Objections to
form of
grounds for
appeal.

100. (1) No objection on account of any defect in the form of setting forth any ground for appeal shall be allowed, unless the appeal court is of opinion that the ground of appeal is so imperfectly or incorrectly stated as to be insufficient to enable the respondent to enquire into the subject matter thereof or to prepare for the hearing.

(2) In any case where the court is of opinion that any objection to any reason for appeal ought to prevail, the court may, if it thinks fit, cause the reason for appeal forthwith to be amended by the registrar upon such terms and conditions, if any, as the court may think just.

Objections to
complaint,
charge,
conviction or
order.

101. If, on the hearing, it appears that there is any defect in form in the charge, complaint or plaint, or any omission or mistake in the drawing up of the decision or order and if it is shown, to the satisfaction of the appeal court, that there was sufficient evidence before the magistrate making such decision or order to have authorised the drawing up thereof free from such omission or mistake, the appeal court shall amend such information, complaint or plaint or such decision or order and proceed thereafter as if no such defect, omission or mistake had existed:

Provided that nothing in this section shall affect the provisions of section 95 of this Law.

102. On any appeal from a decision of a magistrate's court no objection shall be taken or allowed to any proceeding in such court for any defect or error which might have been amended by such court, or to any complaint, summons, warrant, or other process to or of such court for any alleged defect therein in substance or in form, or for any variance between any complaint or summons and the evidence adduced in the support thereof in such court :

Defects in proceedings under appeal.

Provided, however, that if any error, defect, or variance mentioned in this section appears to the appeal court at the hearing of any appeal to be such that the appellant has been thereby deceived or misled, it shall be lawful for the appeal court either to refer the case back to the magistrate with directions to rehear and determine the same or to reverse the decision appealed from, or to make such other order for disposing of the case as justice may require.

103. No objection shall be taken or allowed, on any appeal to any notice of appeal which is in writing or to any recognisance entered into under this Law for the due prosecution of such appeal for any alleged error or defect therein ; but if any such error or defect appears to the appeal court to be such that the respondent on such appeal has been thereby deceived or misled, it shall be lawful for the court to amend the same and, if it is expedient to do so, also to adjourn the further hearing of such appeal, such amendment and such adjournment, if any, being made on such terms as the court may deem just.

Defects in notice of appeal or recognisance.

104. The appeal court may, in any case where it may consider it necessary that evidence should be adduced, either :—

Additional evidence.

(a) order such evidence to be adduced before the court on some day to be fixed in that behalf ; or

(b) refer the case back to the magistrate to take such evidence, and may in such case either direct the magistrate to adjudicate afresh after taking such evidence and subject to such directions in law, if any, as the court may think fit to give, or direct him, after taking such evidence, to report specific findings of fact for the information of the court ; and on any such reference the case shall, so far as may be practicable and necessary, be dealt with as if it were being heard in the first instance.

105. (1) When additional evidence is to be taken by a magistrate and specific findings of fact reported he shall certify such evidence to the appeal court which shall thereupon proceed to dispose of the appeal.

Mode of taking additional evidence.

(2) Unless the appeal court otherwise directs, the appellant or the legal practitioner representing him shall be present when the additional evidence is taken.

(3) Evidence taken in pursuance of section 104 shall be taken as if it were evidence taken at the trial before the magistrate's court.

(4) When forwarding to the appeal court any additional evidence taken by a magistrate in pursuance of section 104 the magistrate may express his opinion on the demeanour of the witnesses and of the value of their evidence and may also, if he is the magistrate against whose decision the appeal has been made, state whether or not he would have come to a different decision had the additional evidence been brought forward at the trial.

Power of
appeal court
in criminal
cases.

106. On the conclusion of the hearing of an appeal in a criminal case the appeal court shall at the same or any subsequent sitting pronounce judgment on the appeal and in giving such judgment the court may :

(a) on an appeal from a conviction :—

(i) reverse the finding and sentence, and acquit or discharge the accused, or order him to be retried by a court of competent jurisdiction, or

(ii) alter the finding, maintaining the sentence, or, with or without altering the finding, reduce or increase the sentence ; or

(iii) with or without such reduction or increase and with or without altering the finding, alter the nature of the sentence ; or

(iv) annul the conviction and substitute a special finding to the effect that the accused was guilty of the act or omission charged, but was insane so as not to be responsible for his action at the time he did the act or made the omission and order the accused to be confined as a criminal lunatic in a lunatic asylum, prison or other suitable place of safe custody ;

(b) on an appeal from an order of discharge or acquittal affirm such order or if the appeal court is of opinion that such order should not have been made remit the case together with the judgment of the appeal court thereon to the court of trial for determination, whether or not by way of rehearing, with such directions as the appeal court may think necessary ;

(c) on an appeal from any other order, affirm, alter or reverse such order :

and in either case may make any amendment or any consequential or incidental order that may appear just and proper.

Order of
appeal court
to be
certified to
magistrate's
court.

107. (1) When a case is decided on appeal the appeal court shall certify its judgment or order to the court by which the decision appealed against was pronounced.

(2) The court to which the appeal court certifies its judgment or order shall thereupon make such orders as are conformable to the judgment or order of the appeal court, and, if necessary, the records shall be amended in accordance therewith.

Enforcing of
judgment.

108. (1) After the pronouncement of the judgment of the appeal court, and subject to the provisions hereafter in this section contained, the magistrate of the court from which the appeal came shall have the same jurisdiction and power to enforce, and shall enforce, any decision

which may have been affirmed, modified, amended, or substituted by the appeal court, or any judgment which may have been pronounced by the appeal court, in the same manner in all respects as if such decision or judgment had been pronounced by himself :

Provided that in any case where an order for the imprisonment of any person is affirmed on appeal, whether with or without modification or amendment, or where the appeal court orders the imprisonment of any person, the appeal court may, if it considers it expedient to do so, forthwith commit such person to prison in pursuance and in execution of such order.

(2) If the appellant had been sentenced to imprisonment without the option of a fine by the magistrate and such sentence is confirmed by the appeal court or other sentence of imprisonment is substituted the period during which the appellant had been released on bail shall be excluded in computing the term for which he was or is sentenced.

109. The court shall not review any judgment or order once made and delivered by it save where and in such cases a similar review might be made in Her Majesty's Court in England. Review.

110. Any order given or made by the court may be enforced by the court or by the court below as may be most expedient. Enforcement of orders.

COSTS

111. Subject to the express provisions of this Law, the appeal court may make such order as to the costs of any case both in the magistrate's court and in the appeal court as it may think just. General power of courts as to costs.

112. Where an appeal is abandoned or withdrawn, the appeal court may, on proof of notice of appeal having been given to the respondent, order that he shall receive such costs as the court may think fit, notwithstanding that the appeal has not been entered into or prosecuted. Costs in abandonment or withdrawal of appeal.

113. Where any order as to costs is made by the appeal court against either party to a criminal appeal, such costs shall be payable to the registrar, and shall be by him paid over to the party entitled to the same, and, in the absence of any special direction of the court to the contrary, such costs shall be payable forthwith. Payment of costs in criminal appeals.

114. If any such costs are not paid within the time limited by this Law or ordered by the court, the registrar shall, on the application of the person entitled to the same or of any person duly authorised on his behalf, grant to such party a certificate that such costs have not been paid, and, upon production of such certificate to any magistrate, such magistrate shall enforce the payment of such costs in the manner and subject to the conditions laid down in the Criminal Procedure Ordinance, with respect to a sum of money adjudged to be paid by an order, or, if the costs are ordered to be paid by the appellant, payment thereof may be made by enforcing the recognisance entered into by the appellant in the manner provided in this Law. Enforcement of order for costs.
Cap. 43.

MISCELLANEOUS PROVISIONS

Application to appeal Court to compel magistrate to entertain complaint.

115. In any case where a magistrate refuses to entertain a complaint relating to a summary conviction offence, the person aggrieved by such refusal may obtain from the magistrate a copy of the entry in the relevant book relating to such refusal and on giving not less than seven days' previous notice in writing thereof to the magistrate, may make application to the appeal court on an affidavit of the facts, for an order on the magistrate to entertain, hear, and determine the complaint and if the appeal court makes such order, the magistrate shall be bound to entertain and thereafter to hear and determine the complaint in due course of law.

Case stated during hearing of case.

116. At any time during the hearing of a criminal case in a magistrate's court and before the decision of such court has been pronounced the magistrate may, and when so required by the Attorney-General shall, state a special case on a point of law for the opinion of the appeal court.

General power to Attorney-General to require a case to be stated.

117. In any criminal case in which no public officer is a party where the Attorney-General is of opinion that any decision of a magistrate is erroneous in law he may, at any time within six months from the date of the decision, require the magistrate to state a case thereon for the opinion of the appeal court.

Contents of case stated.

118. A case stated by a magistrate shall set out—
- (a) the charge, summons, information or complaint ;
 - (b) the facts found by the lower court to be admitted or proved ;
 - (c) any submission of law made by or on behalf of the complainant during the trial or inquiry ;
 - (d) any submission of law made by or on behalf of the accused during the trial or inquiry ;
 - (e) the finding and, in case of conviction, the sentence of the lower court ;
 - (f) any question of law which the magistrate desires to be submitted for the opinion of the appeal court, and
 - (g) any question of law which the Attorney-General requires to be submitted for the opinion of the appeal court.

High Court may enlarge time.

119. The appeal court may, if it deems fit, enlarge any period of time prescribed by this Law.

Proceedings in wrong place.

120. No finding, sentence or order of any criminal court shall be set aside merely on the ground that the inquiry trial or other proceeding, in the course of which it was arrived at or passed, took place in a wrong division or district unless it appears that such error has in fact occasioned a failure of justice.

Finality of judgment.

121. Every judgment of an appeal court shall, subject to the provisions of this Law relating to further appeal be final and conclusive.

122. The Chief Justice, with the approval of the Minister of Justice, may make rules of court prescribing anything required to be prescribed under the provisions of Part IX of this Law and for regulating the practice and procedure on appeals and the fees and costs thereon and in particular for the waiving or remission of any fees in respect of appeals by poor persons. ^{Power to make rules.}

Objects and Reasons

1. The object of this Bill is to establish Magistrates' Courts for the Western Region in pursuance of the powers vested in the Legislature of the Western Region by section 142 of the Nigeria (Constitution) Order in Council, 1954.

2. The Bill is based on the Magistrates' Courts Ordinance, Cap. 122, and the Magistrates' Court (Appeals) Ordinance, Cap. 123.

3. Part III of the Bill provides for the appointment of Chief Magistrates, Senior Magistrates and Magistrates who must have had extensive Legal experience. Provision is also made for the appointment and powers of Justices of the Peace.

4. In Part IV of the Bill, the jurisdiction of Magistrates is set out and this has been graded accordingly. Power has been given to the Governor to increase the jurisdiction of any Magistrate. Law and equity will be administered concurrently and in the case of conflict, the rules of equity shall prevail. Provision is made for the application of native law and custom where not repugnant to natural justice or any statute.

5. Part V refers to sittings of the Court and Part VI to Practice and Procedure.

6. Part VII provides *inter alia* for the protection of Magistrates, Representation of the Parties and the Chief Justice making rules of court with the approval of the Minister of Justice.

7. The salaries of Magistrates are laid down in Part VIII as a fixed amount and not by way of salary scale.

8. Part IX refers to Appeals which lie to the High Court. Wide powers are conferred upon the High Court when dealing with criminal appeals.

N. G. HAY,
Legal Secretary

Legal Secretary's Chambers, Ibadan.
20th September, 1954.

High Court
may enlarge
time.

Proceedings
in wrong
place.

set aside
in the court
division
a failure of

Finality of
judgment.

121. 1
provisions

A BILL

FOR

A LAW TO AMEND THE CRIMINAL CODE

[, 1954] Date of commencement.

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

1. This Law may be cited as the Criminal Code (Amendment) Short title.
Law. 1954.

Amendment of section 50 of Cap. 42.

2. In section 50 of the Criminal Code—

(a) immediately before the definition of the word “import” in sub-section (1) there shall be inserted the following new definition—

“Government of the Western Region’ includes the Western House of Chiefs, the Western House of Assembly and the Executive Council;” and

(b) for paragraph (a) of sub-section (2) there shall be substituted the following new paragraph—

“(a) to bring into hatred or contempt or to excite disaffection against the person of Her Majesty, Her Heirs or Successors, or the person of the Governor-General, or the person of a Governor or the Deputy-Governor of a Region, or the person of a Western Regional Minister, or the Government or Constitution of the United Kingdom or of Nigeria or of the Western Region as by law established or against the administration of justice in Nigeria or in the Western Region;”.

Repeal and replacement of section 71 of Cap. 42.

3. For section 71 of the Criminal Code there shall be substituted the following new section—

“Punishment of riot. 71. Any person who takes part in a riot is guilty of a felony, and is liable to a minimum term of one year’s imprisonment and a maximum term of three years’ imprisonment. Any person convicted under the provisions of this section shall not be given the option of a fine.”.

Insertion of new section 88A in Cap. 42.

4. Immediately after section 88 of the Criminal Code there shall be inserted the following new section—

“Provocation. 88A. (1) Any person who by any conduct, use of words or gesture causes or attempts to cause provocation to any other person is guilty of an offence and liable to imprisonment for three months.

(2) For the purposes of sub-section (1), the term “provocation” shall mean any wrongful act or insult offered by one person to another.”.

Amendment of section 240D of Cap. 42.

5. In section 240D of the Criminal Code there shall be inserted the following new sub-section :—

“(3) Nothing in this Ordinance contained shall apply to any public lottery organised and controlled in the Western Region by the Government of the Western Region.”.

6. Immediately after section 381 of the Criminal Code there shall be inserted the following new section—

Insertion of
new
section 381A
in Cap. 42.

"Imputation
of dis-
honourable
motive
regarding a
Minister.

381A. (1) Any person who by any means whatsoever falsely imputes a dishonourable or improper motive to a Western Regional Minister in the discharge of his official or public duties is guilty of an offence and liable to imprisonment for two years.

(2) The defences contained in sections 378 and 379 of the Ordinance shall be available to any person who is prosecuted for an offence against the provisions of sub-section (1)."

Objects and Reasons

1. The object of this Bill is to make sundry amendments to the Criminal Code.
2. Clause 2 inserts a new definition of Government of the Western Region in section 50 of the Criminal Code which sets out definitions relevant to the offence of sedition. The effect of clause 2 (a) is to extend the definition of "seditious intention" to include the person of the Governor-General, Governor or Deputy-Governor of a Region, Western Regional Minister and the Government of the Western Region.
3. Clause 3 provides that a person guilty of the offence of riot is liable to a minimum term of one year's imprisonment and a maximum of three years with no option of a fine. At present riot is a felony punishable with three years' imprisonment and the aim of the amendment is to reduce the discretion of the Courts so that at least one year's imprisonment will be imposed. Although riot is punishable with a maximum of only three years, it can easily lead to more serious offences and the aim is to check its prevalence.
4. Clause 4 constitutes the new offence of causing provocation. At present, provocation is a defence in certain crimes but as it can lead to most serious consequences such as killing, it is made an offence in order to try and reduce the number of instances.
5. Clause 5 is necessary in order to make Regional Lotteries legal.
6. Clause 7 creates the offence of imputing improper motives to a Regional Minister. It is considered in the public interest that Ministers should derive greater protection from the law than is at present contained in the offence of criminal libel, prosecutions for which are not common. The defences to a charge of criminal libel, absolute and qualified privilege, will still be available.

N. G. HAY,
Legal Secretary

Legal Secretary's Chambers,
Ibadan, 17th September, 1954.



Assented to in Her Majesty's name this 28th day of September, 1954.

A. G. R. MOORING,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 8



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

ARTHUR GEORGE RIXSON MOORING
Officer Administering the Government of the Western Region

A LAW AUTHORISING THE RAISING IN NIGERIA OF LOANS NOT EXCEEDING Title.
IN THE AGGREGATE TWO MILLION POUNDS.

[30th September, 1954.]

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 Loans Law, 1953. Short title.

2. In this Law :— Definitions.

“Local government body” includes any council established under the provisions of the Western Region Local Government Law, 1952, the Lagos Local Government Law, 1953, the local authority of a second class township, a native authority and any planning authority established under the provisions of the Nigeria Town and Country Planning Ordinance. (No. 1 of 1953). (No. 4 of 1953). (Cap. 155).

Authority to
issue stock
up to a total
amount of
£2,000,000.

3. The Lieutenant-Governor is hereby authorised to issue registered stock under the provisions of the Local Loans (Western Region) (Registered Stock) Law, 1953, to an amount sufficient to produce as nearly as may be, the sum of two million pounds and such further sum as may be necessary to defray the issue of the said sum of two million pounds to be appropriated and applied in such amounts and on such terms and conditions as the Lieutenant-Governor shall decide for the granting of loans to local government bodies for the purpose of developing urban water supplies and to such other purposes as the Lieutenant-Governor shall decide.

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.

W. A. SALAMI,
Acting Clerk of the Western House of Assembly

Assented to in Her Majesty's name this 28th day of September, 1954.

A. G. R. MOORING,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 9



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

ARTHUR GEORGE RIXSON MOORING

Officer Administering the Government of the Western Region

A LAW TO MAKE PROVISION FOR THE CREATION AND ISSUE OF
REGISTERED STOCK FOR THE PURPOSE OF RAISING LOANS IN
NIGERIA.

[30th September, 1954.] 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 Loans (Western Region)
(Registered Stock) Law, 1953. Short title.

2. In this Law :—

“the Lieutenant-Governor” means the Lieutenant-Governor of
the Western Region ; Interpreta-
tion.

“Regional Treasurer” means the Regional Treasurer of the
Western Region ;

“the register” means the register of stock kept by the Regional
Treasurer for the purpose of this Law :

"registered stock" or "stock" means stock issued under the provisions of this Law ;

"Stock holder" means a person holding registered stock who is entered as the owner thereof in the register.

Issue of registered stock.

3. (1) Whenever by any Law, authority is given to raise any sum of money by way of loan for any purpose mentioned in that Law, or whenever it is necessary to raise any sum of money for the purpose of repaying any loan raised by the Lieutenant-Governor under this or any other Law the Lieutenant-Governor may, from time to time, raise such sum or part thereof under the provisions of this Law by the creation and issue of registered stock.

(2) Each issue of registered stock under this Law for the purpose of raising any specified sum of money shall be deemed to be stock issued in respect of a separate loan notwithstanding that the sum of money so raised is part only of a sum of money authorised by any other Law to be raised by way of loan.

Loans to be charged upon revenue.

4. The principal moneys and interest represented or secured by any registered stock issued under this Law are hereby charged upon and shall be payable out of the general revenue and assets of the Western Region of Nigeria.

Lieutenant-Governor to direct mode of raising loans and other particulars.

5. (1) The Lieutenant-Governor shall, in respect of each loan to be raised under this Law, specify by directions published in the *Western Region of Nigeria Gazette*—

(a) the sum of money to be raised by that loan ;

(b) the mode or modes of raising the loan ;

(c) the rate of interest payable on the loan ;

(d) the dates in each year on which the half-yearly interest on the loan shall be payable ;

(e) the rate, being a rate of not less than two *per centum* per annum of the sum authorised to be raised, at which a half-yearly appropriation out of the general revenue and assets of the Western Region of Nigeria shall be made as a contribution to the sinking fund established for the purpose of redeeming that loan and the date from which such contributions shall commence ;

(f) the date of redemption of the registered stock to be issued for the purpose of raising that loan.

(2) The date of redemption of any registered stock shall not be later than forty years from the date of issue of such stock.

(3) Where the Lieutenant-Governor deems it expedient to reserve an option to redeem any registered stock at any date earlier than the date of redemption specified for such stock by the directions under subsection (1), he shall by such directions further specify the terms and conditions on which such stock may be redeemed at any earlier date.

6. Upon the publication under section 5 of the directions of the Lieutenant-Governor in respect of any loan to be raised under this Law, the Regional Treasurer may, subject to the provisions of such directions and to such further directions as the Lieutenant-Governor may give in that behalf, make all such arrangements as may be necessary to raise that loan upon the most favourable terms that can be obtained. Regional Treasurer to make necessary arrangements.
7. The Regional Treasurer shall keep a register in respect of each issue of registered stock under this Law in which all such stock and all transfers of and dealings in such stock shall be registered and in which shall be entered all matters and things which by this Law are required to be entered in the register. Register of stock.
8. The Regional Treasurer shall be bound to pay on behalf of the Region to the person registered for the time being as the stock holder the principal sum represented by that stock and the interest due thereon, in accordance with the provisions of this Law, at the rate and on the dates directed by the Lieutenant-Governor under section 5 or in pursuance of an option to redeem such stock reserved in such directions. Liability of Regional Treasurer in respect of issue of registered stock.
9. For the purposes of this Law, no person shall be entitled to any registered stock unless he is registered as a stock holder in respect thereof. Stock holder.
10. No person shall be registered as a first stock holder of any registered stock except upon payment in full of the purchase price of that stock. Registration of first stock holders.
11. Every stock holder shall be entitled to obtain from the Regional Treasurer a stock certificate and no stock holder, other than the first stock holder of any stock shall be entitled to obtain a stock certificate save upon payment of the prescribed fee. Stock certificates.
12. (1) For the purposes of this Law the title of any stock holder to any registered stock shall not be deemed to be transferred to any other person save upon the execution of an approved instrument of transfer and upon the registration of the transferee as the stock holder under section 13. Transfer of registered stock.
- (2) Interest which has fallen due in respect of any registered stock but which has not been paid to the stock holder for the time being, shall not be deemed to be payable to a transferee of that stock unless the instrument of transfer expressly provides for the payment of that interest to that transferee.
13. (1) No person shall be registered as the transferee of any registered stock except upon surrender to the Regional Treasurer of the stock certificate and the instrument of transfer relating to that stock and upon payment of the prescribed fee. Registration of transfers of stock and liens on stock.
- (2) The Regional Treasurer may register a lien on any registered stock in accordance with such provisions as are prescribed by regulations and upon payment of the prescribed fee. Liens may be registered.

Registered
lien to have
priority.
Closing of
register.

(3) Any such lien which is registered under this Law shall have priority over any lien not so registered.

14. The register shall be closed for a period of twenty-one days immediately preceding each date upon which interest on that stock falls due and no transfer of that stock shall be registered during that period.

Register to
be conclusive
evidence of
facts entered
therein.

15. (1) The entries in the register kept under the provisions of this Law shall be conclusive evidence of the facts, matters, particulars and transactions to which those entries relate.

Entries
certified by
the Regional
Treasurer
receivable in
evidence.

(2) Notwithstanding the provisions of any other written law, a copy of any entry in the register certified under the hand of the Regional Treasurer to be a true copy of the original entry shall be receivable in evidence in any judicial proceeding unless a judge of the Supreme Court shall otherwise direct.

Appropriation
of
revenue for
payment of
interest.

16. So long as any interest is payable under this Law in respect of any stock, the Lieutenant-Governor shall, in each half-year ending with the date on which the interest on such stock falls due, appropriate out of the general revenue and assets of the Western Region of Nigeria a sum sufficient to meet all interest payable on that date and shall authorise the Regional Treasurer to pay such interest out of the sum so appropriated.

Payment of
interest.

17. (1) The interest due on any registered stock shall be payable half-yearly on the dates specified by the directions of the Lieutenant-Governor under section 5.

(2) Where any amount has become payable on any date as interest due on any registered stock, no interest on that amount shall, after that date, be paid or payable by the Regional Treasurer to any person in any circumstances.

Cessation of
liability to
pay interest.

18. No person shall be entitled to claim interest on any registered stock in respect of any period which has elapsed after the earliest date on which demand could lawfully have been made for the payment of the principal amount due on such stock.

Payments.

19. All payments of interest and all payments of the principal amount due on any registered stock shall be made at the Regional Treasury in Ibadan :

Provided that the Regional Treasurer or any person authorised by the Regional Treasurer in that behalf may pay any such interest or principal amount at any other place, whether within or without Nigeria, in pursuance of any arrangement which the Regional Treasurer may make for that purpose.

Appropriation
of
revenue for
sinking fund.

20. After the date specified in the directions of the Lieutenant-Governor under section 5 as the date from which contributions to the sinking fund for any loan shall commence, the Lieutenant-Governor shall, in each half-year ending with the date specified in those directions

for the payment of the half-yearly interest on any stock issued in respect of that loan, appropriate out of the general revenue and assets of the Western Region of Nigeria a sum determined in accordance with the rate specified in those directions as the contribution to the sinking fund established for the purpose of redeeming that loan.

21. A separate sinking fund shall be established for each loan raised under this Law.

Separate sinking fund for each loan.

22. (1) All moneys appropriated under section 20 as contributions to the sinking fund established for any loan shall be paid to the Crown Agents, and may then be placed at interest or invested in the purchase of such securities as may from time to time be approved by the Lieutenant-Governor.

Investment of sinking fund.

(2) The Crown Agents may from time to time, with the approval of the Lieutenant-Governor, vary any investment made under subsection (1) or may realise and place at interest or reinvest any moneys invested under that subsection.

(3) The dividends, interests, bonus and other profits of any investment of any part of any sinking fund shall be placed at interest or invested by the Crown Agents so as to form part of that sinking fund in a like manner as moneys appropriated under section 20 as contributions to that sinking fund.

(4) In addition, the Lieutenant-Governor may, at any time or times, authorise the utilisation of the sinking fund or the appropriation for contribution to the sinking fund prescribed under section 20 hereof for the purchase of registered stock of the loan for which the sinking fund was established:

Provided that in the utilisation of such appropriation for the purchase of registered stock the contribution remitted to the Crown Agents shall be the balance, if any, of such appropriation not utilised for the purpose aforesaid.

23. Notwithstanding anything to the contrary contained in this Law, if at any time the Crown Agents are satisfied that the sinking fund of any loan raised under the provisions of this Law will be sufficient with further accumulations of interest, but without further payments of contributions, to enable the loan to be redeemed at the time fixed for its redemption, they shall inform the Lieutenant-Governor accordingly, and the Lieutenant-Governor is hereby authorised in such event to suspend further payments of half-yearly contributions to that sinking fund:

Cessation of contributions to sinking fund.

Provided, however, that the contributions to that sinking fund shall be recommenced if the Crown Agents at any time thereafter inform the Lieutenant-Governor that they are no longer satisfied that the sinking fund with further accumulations of interest will be sufficient for the redemption of that loan.

Expenses to be paid out of sinking fund.

24. There shall be paid out of the sinking fund all expenses specifically incurred in, or incidental to, the investment and management of that fund and the repayment of the loan for which that fund was established.

Deficiency in sinking fund to be a charge upon revenue.

25. In the event of the sinking fund established for any loan under this Law being found, at the time fixed for the repayment of that loan, to be insufficient for such redemption, the deficiency shall be made good out of the general revenue and assets of the Western Region of Nigeria.

Issue of duplicates and renewals.

26. (1) The Regional Treasurer may issue duplicate stock certificates in such circumstances as may be prescribed.

(2) The Regional Treasurer may issue renewals of stock certificates in such circumstances as may be prescribed.

Consolidation and sub-division of stock.

27. Subject to such conditions as may be prescribed the Regional Treasurer may :—

(a) on the application of a person claiming to be entitled to any Stock ; and

(b) on being satisfied of the justice of the claim of such application ; and

(c) on surrender of the stock certificate relating to such stock ; and
(d) on payment of the prescribed fee, consolidate or sub-divide such stock and issue to the applicant one or more new stock certificates as may be required.

Indemnity bonds.

28. Where application is made to the Regional Treasurer under this Law for the issue of a duplicate stock certificate or for the renewal, consolidation or sub-division of any stock, the Regional Treasurer may require the applicant, as a condition precedent to the grant of the application, to execute a bond with or without sureties undertaking to indemnify the Regional Treasurer against the claims of all persons claiming under the original stock certificate or under the stock so exchanged, renewed, consolidated or sub-divided, as the case may be.

Discharge of liability of Regional Treasurer.

29. Save as otherwise provided in this Law the liability of the Regional Treasurer shall—

(a) in respect of any registered stock redeemed on or after the date on which payment of the principal amount becomes due, be discharged after the lapse of six years from that date ;

(b) in respect of stock in place of which new stock is issued upon a consolidation of sub-division under section 27, be discharged after the lapse of six years from the date of the issue of the new stock.

Signature of the Regional Treasurer may be printed on stock.

30. The signature of the Regional Treasurer may be printed, stamped, engraved or impressed by any mechanical process on any stock certificate and a signature so printed, stamped, engraved or impressed shall be as valid as if it had been inscribed in the proper handwriting of the Regional Treasurer.

31. Save as otherwise provided in or under this Law, no notice of any trust in respect of any registered stock shall be receivable by the Regional Treasurer.

Notice of trust not receivable save as provided.

32. All documents or instruments made or used under the provisions of this Law shall be in such form as may be prescribed.

Documents to be in prescribed form.

33. (1) No person shall be entitled to inspect, or to receive information derived from any register, book or other document kept or maintained by or on behalf of the Regional Treasurer in relation to registered stock, save on payment of such fee and save in such circumstances and on such terms and conditions as may be prescribed.

Inspection of register and documents.

(2) Nothing in this section shall apply to the Director of Audit, or any person authorised by him, or to the Commissioner of Income Tax, or any person authorised by him or to a Resident or any person authorised by a Resident or to a Local Government Inspector or any person authorised by a Local Government Inspector.

34. (1) The Lieutenant-Governor may make regulations for the purpose of giving effect to the provisions of this Law.

Power to make regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters :—

- (a) the manner in which payment of interest in respect of stock is to be made and acknowledged ;
- (b) the issue of duplicate stock certificates ;
- (c) the renewal of stock certificates ;
- (d) the manner of payment of interest to joint holders of stock ;
- (e) the circumstances in which alterations may be made in the register ;
- (f) the payment of principal or interest and transfer of stock in the case of persons under a legal disability ;
- (g) the disposal of unclaimed interest ;
- (h) the conditions subject to which stock may be exchanged, consolidated or sub-divided ;
- (i) to enable holders of registered stock to be described in the register as trustees and either as trustees of any particular trust or as trustees without qualification and for the recognition of powers of attorney granted by holders of stock so described ;
- (j) the fees to be paid in respect of anything to be issued or done under the provisions of this Law ;

(k) all matters required by this Law to be prescribed and all matters incidental to or connected with the matters hereinbefore enumerated.

(3) Nothing in any regulation made hereunder shall, as between any trustees or as between any trustees and beneficiaries under a trust, be deemed to authorise the trustees to act otherwise than in accordance with the rules of law applying to the trust and the terms of the instrument constituting the trust ; and neither the Regional Treasurer nor any person holding or acquiring any interest in any registered stock shall by reason only of any entry in the register of stock or of anything in any document or instrument relating to registered stock, be affected with notice of any trust or of the fiduciary character of any stock holder or of any fiduciary obligation attaching to the holding of any registered stock.

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.

W. A. SALAMI,
Acting Clerk of the Western House of Assembly

Assented to in Her Majesty's name this 29th day of September, 1954.

A. G. R. MOORING,
*Officer Administering the Government
of the Western Region*

(L.S.)

No. 10



1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

ARTHUR GEORGE RIXSON MOORING
Officer Administering the Government of the Western Region

A LAW TO MAKE PROVISION FOR THE PURCHASE OF PRODUCE FOR EXPORT AND FOR MATTERS CONNECTED THEREWITH. Title.

[28th September, 1954] 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 Marketing Board Law, 1954. Short title.
2. In this Law, unless the context otherwise requires :— Interpretation.
“Central law” means a law enacted by a Legislature having power to make laws for the peace, order and good government of Nigeria ;

“Central Marketing Board” means the Central Marketing Board which may be established by Central law ; and until such a Board is established by Central law and charged with the responsibility for the export from Nigeria of produce subject to this Law all references to the Central Marketing Board contained in this Law shall be deemed to refer to the Nigeria Cocoa Marketing Board, the Nigeria Oil Palm Produce Marketing Board, or the Nigeria Cotton Marketing Board ;

“commodity” means any of the products designated in the schedule ;

“crop year” means such period as may be specified by the Marketing Board for any of the produce subject to this Law ;

“export” with its grammatical variations and cognate expressions means to take or cause to be taken out of Nigeria ;

“Government” includes the Government of the Western Region or the Government of Nigeria ;

“licensed buying agent” means any person in possession of a valid licence granted to such person by the Marketing Board under section 16 for the purchase of produce subject to this Law for sale to the Marketing Board ;

“Marketing Board” means the Marketing Board established under this Law ;

“the Minister” means the Minister for the time being charged, in pursuance of the Nigeria (Constitution) Order in Council, 1951, with responsibility for the exercise of the powers and performance of the duties vested in the Minister by this Law ;

“produce” means the produce mentioned in the Schedule to this Law or any derivative thereof and such other produce as may from time to time be added to the Schedule by order of the Lieutenant-Governor in Council ;

“producer” means a person engaged in the cultivation or collection or preparation of produce ;

“purchase” with its grammatical variations and cognate expressions includes exchange or barter and any agreement or contract to purchase, exchange or barter ;

“Representative Committee” means the “Cocoa Representative Committee”, or the “Oil Palm Produce Representative Committee” or the “Cotton Representative Committee” established under section 30 of this Law or any two or all of such bodies ;

“sell” with its grammatical variations and cognate expressions includes exchange or barter and any agreement or contract to sell, exchange or barter.

PART II.—ESTABLISHMENT AND CONSTITUTION OF THE
MARKETING BOARD

3. (i) So soon as may be after the coming into operation of this Law, there shall be established for the purposes thereof a Marketing Board to be known as the Western Region Marketing Board, which shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name.

Establishment of the Western Region Marketing Board.

(ii) The Marketing Board shall consist of a Chairman and eight members, one of whom shall be a representative of the Ministry of Finance and all of whom shall be appointed as such by the Minister with the prior approval of the Lieutenant-Governor in Council.

(iii) The Minister may appoint a person to be a member of the Marketing Board by name, or, in the case of an official member, by designating the office of which he is the holder.

(iv) It shall be lawful for the Secretary of the Central Marketing Board to attend all meetings of the Marketing Board :

Provided that the said Secretary shall not have a deliberative voice but may give such information as may be required by the Marketing Board.

4. The Chairman and other members shall, subject to the pleasure of the Lieutenant-Governor in Council, hold office for five years and three years respectively from the date of their first appointment but shall be eligible for re-appointment.

5. (1) When the Chairman is temporarily absent from Nigeria or otherwise is temporarily incapacitated from performing the functions of his office, the Minister may appoint a person, whether or not such person is a member of the Marketing Board, to be Chairman during such period of absence or incapacity.

Temporary absence of Chairman.

(2) Upon any temporary appointment being made under the provisions of sub-section (1), all the powers and duties of the Chairman under this Law shall devolve upon the person so temporarily appointed.

6. When a member of the Marketing Board is temporarily incapacitated from performing his functions as a member by reason of his temporary absence from Nigeria or for any other good cause, the Minister may appoint a person temporarily to be a member during such period of incapacity, and during such period all the powers and duties of the member so temporarily incapacitated shall devolve upon the member so temporarily appointed.

Temporary absence of a member.

7. Where upon any special occasion the Marketing Board desires to obtain the advice of any person upon any particular matter, the Marketing Board may co-opt such person to be a member for such meeting or meetings as may be required, and such person, while so co-opted shall have all the rights and privileges of a member save that he shall not be entitled to vote upon any question.

Power to co-opt.

Chairman to have original and casting vote.

8. The Chairman duly appointed under the provisions of this Law shall have an original vote and, where the votes are equally divided, a casting vote in addition to his original vote.

Quorum.

9. At a meeting of the Marketing Board four members and the Chairman shall be a quorum.

Meetings.

10. The Marketing Board shall meet at least twice in each year and at such other times as may be required by Standing Orders made under section 14.

Special Meetings.

11. (1) Any two members of the Marketing Board may, by notice in writing signed by them, request the Chairman to call a special meeting of the Marketing Board for the purposes set out in such notice.

(2) A Representative Committee may, by a resolution signed by the majority of its members, request the Chairman to call a special meeting of the Marketing Board for the purposes set out in that resolution.

(3) The Chairman shall, upon receipt of any such notice or resolution, summon a special meeting of the Marketing Board for such purposes at the earliest convenient date.

Secretary to the Marketing Board.

12. (1) The Minister after the prior approval of the Lieutenant-Governor in Council shall appoint by name or office a Secretary to the Marketing Board who shall conduct the correspondence and keep the records thereof and perform such other duties as the Marketing Board may from time to time direct or which are placed upon him under the provisions of this Law or any other written law.

(2) The Secretary shall be an officer, but not a member, of the Marketing Board.

Delegation of powers and appointment of agents.

13. (1) The Marketing Board may, with the approval of the Minister—

(a) by the majority vote of all its members delegate to the Chairman the routine administration of the affairs of the Board ;

(b) from time to time, in like manner, appoint agents to perform any of the powers or duties conferred or imposed upon the Marketing Board, and for the purposes of this paragraph the term "agent" shall include a department of the Government or a Native Authority or group of Native Authorities or a Local Government Council.

(2) Nothing contained in this section shall be deemed to authorise the Marketing Board to delegate to the Chairman the power to make Standing Orders or to do any act involving extraordinary expenditure or to fix or control the price of produce subject to this Law or to authorise any agent to exercise any power or duty outside the scope of the written appointment of such agent.

Standing Orders.

14. The Marketing Board may, with the approval of the Lieutenant-Governor in Council, from time to time make Standing Orders providing for the proper conduct of its business and for meetings of the Board and in particular for—

(a) the custody and use of the common seal ; and

(b) the method of entering into contracts and the execution thereof, and the signing of cheques and other similar instruments.

PART III.—FUNCTIONS, POWERS AND DUTIES OF THE
MARKETING BOARD

15. (1) It shall be the duty of the Marketing Board to secure the most favourable arrangements for the purchase for export and sale under section 38 of the produce subject to this Law, and, by means of its allocation of funds to the Western Region Production Development Board and as otherwise provided under sections 16 and 25, to promote the development of the producing industries concerned and the benefit and prosperity of the people of the Western Region.

General
functions of
the
Marketing
Board.

(2) Subject to any directions or instructions that may be issued by or on behalf of the Central Marketing Board the Marketing Board shall be responsible for evacuating all produce purchased in the Region to the port of shipment.

(3) After consultation by the Minister with the Marketing Board the Lieutenant-Governor in Council may give to the Marketing Board directions of a general character as to the exercise and performance of their powers and duties in relation to matters appearing to the Lieutenant-Governor in Council to concern the public interest and the Board shall give effect to any such directions.

(4) The Minister may, after consultation with the Marketing Board and with the prior approval of the Lieutenant-Governor in Council, give directions of a general or specific character as to the manner of use or management of the funds of the Marketing Board and the Marketing Board shall comply with such directions.

16. In particular, and without prejudice to the generality of the provisions of section 15, the Marketing Board shall have power—

Specific
powers of
the Board.

(a) subject to the approval of the Minister and with the prior concurrence of the Lieutenant-Governor in Council to control and fix the prices to be paid from time to time for produce subject to the provisions of this Law which is to be exported, or sold under the provisions of section 38 or for any grade of such produce at any place or within any specified area in the Western Region, and similarly to notify such prices in such manner as the Marketing Board may deem requisite ;

(b) to purchase produce subject to this Law for export and for sale under section 38 and to do all things necessary for and in connection with the purchase of such produce ;

(c) to appoint licensed buying agents for the purchase of produce subject to this Law for export, and for sale under section 38 by the Marketing Board, and to appoint licensed ginning agents for cotton ;

(d) to control and fix the prices to be paid from time to time to licensed buying agents for the produce which they purchase ;

(e) to control and fix the payment to be made to licensed ginning agents for ginning ;

(f) to grant, renew or withhold licences for each crop year in respect of licensed buying agents, to impose conditions upon the grant or renewal of such licences in respect of the area in which the produce is to be purchased or sold or otherwise disposed of, and to cancel or suspend any licence for a breach of any such condition or for other good cause ;

(g) to grant, renew or withhold licences for ginning for such period as the Marketing Board may fix ;

(h) to grant, withhold or cancel in its absolute discretion any written authority or direction given under section 38 ;

(i) to do all things necessary for and in connection with the cleansing, packing, storing for evacuation to ports and transporting of produce ;

(j) subject to any Central law to do all things necessary for and in connection with the Marketing, and export or storing for export of produce ;

(k) to consider such advice as may be tendered to it from time to time by the Central Marketing Board on the following matters :—

(i) Price fixing, price support and stabilisation, particularly for crops produced on a considerable scale in more than one Region.

(ii) Appointment of buying agents and their terms and conditions of appointment.

(iii) Appointment of cotton ginning agents and their terms and conditions of appointment.

(iv) Local processing of commodities.

(v) Research and development.

(vi) Pest control.

(vii) Any other matters which a Regional Marketing Board may refer to it.

(l) to exercise such powers in accordance with the provisions of this Law as may be vested in it by the Legislature of Nigeria ;

(m) to apply its funds to the purposes prescribed by section 26.

(n) to prescribe specific periods during which the buying for export of produce subject to the provisions of this Law shall be prohibited, restricted or allowed.

17. The Marketing Board shall purchase all produce subject to this Law which is suitable for export and offered for sale to it.

18. The Marketing Board may, from time to time, enter into any arrangement with the Central Marketing Board, for or in connection with the marketing, storing for export, exporting, shipping and sale of produce under this Law.

19. The Marketing Board shall seek the advice of the appropriate Representative Committee on all matters in connection with the purchase of produce subject to this Law.

Marketing Board to purchase all produce for export offered for sale.

Power of Marketing Board to enter into arrangements.

Marketing Board to consult Representative Committee.

20. (1) The Marketing Board shall keep a separate account for each commodity it handles and the reserves or funds in the account of any such commodity shall not be used to pay for or in connection with the purchase, processing, transporting, storing, or cleaning of any other commodity ;

Annual report and statement of accounts.

(2) As soon as may be after the thirtieth day of September in each year, the Marketing Board shall prepare a report of its operations during the preceding year, and shall forward such report to the Lieutenant-Governor in Council, together with a certified copy of the audited accounts of the Marketing Board ;

(3) The annual report and certified copy of the audited accounts of the Marketing Board, together with the auditor's report, shall be published in such manner as the Minister may direct and shall be laid upon the table of the Western House of Assembly and upon the table of the Western House of Chiefs also.

PART IV.—FINANCIAL PROVISIONS RELATING TO THE MARKETING BOARD

21. The Marketing Board shall have power to acquire and to hold, manage and dispose of property, whether real or personal, for the purposes of its functions under this or any other Law and may enter into any contract.

Power of Marketing Board to acquire real and personal property and to contract.

22. (1) Moneys standing to the credit of the Marketing Board may, from time to time, be invested in securities approved either generally or specifically by the Minister, and the Board may, from time to time, with like approval, sell any or all of such securities.

(2) (a) It shall be lawful for the Marketing Board to make and for the Government to receive loans out of moneys standing to the credit of the Board upon such terms as may be agreed by and between the Board and the Government.

(b) An agreement for a loan made pursuant to the provisions of paragraph (2) (a) shall be of no force or effect whatsoever until the terms thereof have been approved by the Lieutenant-Governor in Council.

23. The Marketing Board shall have power for the purpose of crop purchase to make short term loans to any other Marketing Board established or to be established in Nigeria by any Federal or Regional Law.

Short term loans to other Marketing Boards.

24. The Marketing Board may, with the approval of the Minister from time to time borrow, whether by way of mortgage or otherwise, such sum of money for and in connection with the exercise of its functions, powers and duties under this Law as the Marketing Board may deem necessary.

Power to borrow.

25. The funds and resources of the Marketing Board shall be—

(a) such sums as may, from time to time, be paid to the Marketing Board by the Nigeria Cocoa Marketing Board, the Nigeria Oil Palm Produce Marketing Board and the Nigeria Cotton Marketing Board ;

Funds of the Marketing Board.

(b) such sums as may be appropriated, from time to time, to the Board by the Legislature of the Western Region or by any resolution of the Western House of Assembly allotting moneys under the provisions of any written law ;

(c) moneys derived from the sale of produce subject to this Law ;

(d) moneys earned or arising from any property and investments acquired by or vested in the Marketing Board ;

(e) moneys raised by loan under the powers to borrow vested in the Marketing Board by this Law ;

(f) all other sums or property which may in any manner, become payable to or vested in the Marketing Board in respect of any matter incidental to its functions, powers and duties.

Expenditure.

26. (1) The Marketing Board may, from time to time, apply the funds at its disposal—

(a) to or in connection with the purchase of produce subject to this Law ;

(b) for and in connection with all or any of its functions, powers and duties under the provisions of this Law ;

(c) to the cost of administration of the Marketing Board ;

(d) to the remuneration, honoraria and expenses of the members of the Marketing Board or of any class of member in respect of their duties under this Law ;

(e) to the cost of the administration of a Representative Committee and the remuneration, honoraria and expenses of its members or any class of member in respect of their duties under this Law ;

(f) to the payment of the salaries, allowances, gratuities or pensions of the servants of the Marketing Board ;

(g) to the interest payable in respect of any moneys borrowed under the provisions of this Law ;

(h) to the stabilisation of prices to the producers as required and as far as possible ;

(i) to the cost of scientific research into all matters affecting production of produce subject to this Law ;

(j) to grants to the Western Region Production Development Board ;

(k) to the rehabilitation of any produce or area of production ;

(l) to the control of pests ; and

(m) to any purpose for which the Marketing Board has a duty to apply its funds under any Central law.

(2) The Marketing Board may, with the approval of the Lieutenant-Governor in Council, from time to time, make grants from the funds at its disposal, to any institution, society or scheme whatsoever which in the opinion of the Marketing Board is likely to be of benefit to the people of the Western Region.

27. The Marketing Board may, with the approval of the Minister—

Servants of the Marketing Board.

(a) from time to time appoint, upon such salaries, terms and conditions as it may think fit, such officers and employees as may be necessary for the proper and efficient conduct of the operations of the Marketing Board ;

(b) grant pensions, gratuities, or retiring allowances to any officer or employee and may require officers and employees to contribute to any pension or contributory scheme.

28. (1) The Marketing Board shall keep accounts of its transactions to the satisfaction of the Minister, and the accounts for each crop year in the case of seasonal crops and for the year ending on the 30th day of September in the case of palm oil and palm kernels shall be audited by the Audit Department of Government or by a person appointed by the Minister with the prior approval of the Lieutenant-Governor in Council.

Accounts and audit.

(2) The remuneration of the auditor shall be determined by the Minister and shall be paid out of the funds of the Marketing Board.

29. The Marketing Board may, with the approval of the Minister, write off bad debts.

Bad debts.

PART V.—REPRESENTATIVE COMMITTEES

30. (1) There shall be established a committee to be known as the Cocoa Representative Committee and a committee known as the Oil Palm Produce Representative Committee.

Establishment and composition of Representative Committees.

(2) Each committee shall consist of :—

(a) a Chairman to be appointed by the Minister by name or office ;

(b) two official members to be appointed by the Minister by name or office ;

(c) one representative of the licensed buying agents to be appointed by the Minister ;

(d) two members, who shall be members of the Marketing Board, to be appointed by the Marketing Board ;

(e) six unofficial members who shall be appointed by the Minister with the prior approval of the Lieutenant-Governor in Council.

(3) There shall be established a committee, to be known as the Cotton Representative Committee which shall consist of :—

(a) a Chairman to be appointed by the Minister by name or office ;

(b) one official member to be appointed by the Minister by name or office ;

(c) one member, who shall be a member of the Marketing Board, to be appointed by the Marketing Board ;

(d) three unofficial members who shall be appointed by the Minister with the prior approval of the Lieutenant-Governor in Council.

Secretary to the Representative Committee.

31. The Minister may appoint a person, by name or office, to be Secretary to a Representative Committee.

Term of office.

32. The Chairman and members of a Representative Committee shall hold office for three years from the dates of their respective appointments at the pleasure of the Minister.

Vacancies.

33. When the Chairman or member of a Representative Committee is temporarily absent from Nigeria or otherwise temporarily incapacitated from performing the functions of his office, the provisions of section 5 or section 6 as the case may be, shall apply *mutatis mutandis*.

Chairman to have original and casting vote.

34. The Chairman duly appointed under the provisions of this Part shall have an original vote and, where the votes are equally divided, a casting vote in addition to his original vote.

Quorum.

35. (1) At a meeting of the Cocoa Representative Committee or the Oil Palm Produce Representative Committee, the Chairman and six members shall be a quorum.

(2) At a meeting of the Cotton Representative Committee, the Chairman and three members shall be a quorum.

Duties of Representative Committees.

36. (1) It shall be the duty of a Representative Committee from time to time as may be required—

(a) to advise the Marketing Board on all matters in connection with the purchase of produce subject to this Law.

(b) to advise the Western Region Production Development Board, as and when required by the said Board on all matters connected with the development of the producing industries concerned and on any scheme for the development of such industries or for the benefit and prosperity of the producers or of the areas of production.

(2) A Representative Committee may tender advice to the Marketing Board and to the Western Region Production Development Board, on any matter relating to the exercise by those bodies of their functions, powers and duties without any specific reference being made to it by the Marketing Board or the Western Region Production Development Board.

Standing Orders.

37. A Representative Committee may, with the approval of the Minister, from time to time make Standing Orders providing for :—

(a) the proper conduct of its business ;

(b) the meetings of the Representative Committee ; and

(c) the expenses of members attending meetings of the Representative Committee.

PART VI.—CONDITIONS OF EXPORT AND PURCHASE
FOR LOCAL PROCESSING

38. (1) The Marketing Board may direct that any produce subject to this Law which is purchased in the Region for mechanised processing in Nigeria shall be purchased from the Marketing Board on such terms and conditions as the Board may from time to time apply. Local Processing.

(2) The Marketing Board may purchase, on such terms and conditions as the Marketing Board may from time to time apply, any product resulting from the local processing of produce subject to this Law offered for sale to the Board.

(3) The Marketing Board may without prejudice to the generality of the provisions of section 15 do all things necessary for and in connection with the cleaning of, packing, storing for evacuation to ports and transporting of any produce resulting from the local processing of produce subject to this Law.

(4) The Marketing Board may from time to time enter into any arrangements with the Central Marketing Board for or in connection with the storing for export, exporting, shipping and sale of any product resulting from the local processing of produce subject to this Law.

(5) The Marketing Board may enter into any agreement with the Central Marketing Board on the terms and conditions on which the Central Marketing Board may authorise the export of any product resulting from the local processing in Nigeria of any produce subject to this Law.

(6) Any person who acts contrary to a direction given by the Marketing Board under sub-section (1) of this section shall be guilty of an offence and shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding four years or to both such fine and imprisonment, and for a second or subsequent offence to a fine not exceeding £5,000 or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

PART VII.—OFFENCES

39. Any person who falsely holds himself out or represents himself to be a licensed buying agent or a person acting on the authority or instruction of the Marketing Board shall be guilty of an offence and on conviction liable to a fine of £500 or to imprisonment for a term of two years or to both such fine and imprisonment. False representation.

40. Where an offence against this Law is committed by a body corporate and such offence has been committed on the direction of or with the consent or approval of any director, manager, secretary or other officer of such body corporate, that individual, as well as such body corporate, shall be guilty of that offence and may be proceeded against, and if convicted, be punished accordingly. Special provision as to directors.

PART VIII.—GENERAL

41. Where the Marketing Board ceases for any reason to exercise its functions under this Law whether by reason of the repeal of this Law or otherwise, the funds of the Marketing Board shall be allocated Control of funds of the Board on dissolution.

for the benefit of the Western Region and shall be disposed of in such manner as the Legislature of the Western Region may by resolution direct.

Appeals.

42. (1) Any person aggrieved by the refusal of the Marketing Board to grant or renew a Buying Agent's licence or by any condition imposed by the Board in connection with such licence or by any direction or decision given or made under section 38 may within thirty days appeal in writing to the Minister.

(2) The Minister after considering the appeal shall make such decision as he deems fit and the Marketing Board shall comply therewith.

(3) The decision of the Minister on such appeal shall be final and shall not be challenged in any Court.

Regulations.

43. The Minister may make regulations generally for carrying into effect the provisions of this Law and, in particular and without prejudice to the generality of the foregoing—

(a) for the licensing of buying agents and for fees to be paid in connection therewith.

(b) for the duties, functions and responsibilities of licensed buying agents.

(c) for the keeping of books and accounts by such agents.

(d) for the appointment and duties of inspectors to examine such books and accounts.

(e) for the submission of returns by the agents and other persons.

(f) for the establishment of buying centres.

(g) for the imposition of penalties in respect of contravention of any regulations made under the provisions of this section to a limit of a fine not exceeding £100 or imprisonment for a term not exceeding six months, or to both such fine and imprisonment and for a second or subsequent offence to a limit of a fine not exceeding £500 or imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

44. The Lieutenant-Governor in Council may by Order vary the Schedule to this Law.

SCHEDULE

Cocoa
Palm Oil

Palm Kernels
Seed Cotton

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.

W. A. SALAMI,

Acting Clerk of the Western House of Assembly

Assented to in Her Majesty's name this 29th day of September, 1954.

A. G. R. MOORING,
*Officer Administering the Government
of the Western Region*

(L.S.)



No. 11

1954

Western Region of Nigeria

IN THE THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

ARTHUR GEORGE RIXSON MOORING
Officer Administering the Government of the Western Region

A LAW TO APPROPRIATE THE SUM OF ELEVEN MILLION NINE HUNDRED AND SIX THOUSAND, FOUR HUNDRED AND EIGHTY POUNDS TO THE SERVICE OF THE WESTERN REGION FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-FIVE. Title.

[30th September, 1954]

Date of
commence-
ment.

WHEREAS it is necessary with a view to the coming into operation of the Federation of Nigeria (Constitution) Order in Council, 1954, to vary the amounts already authorised to be expended by virtue of the 1954-55 Appropriation Law, 1954. Preamble.

AND WHEREAS authority is required to vary the services on which such expenditure will be necessary.

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 1954-55 (Supplementary) Appropriation Law, 1954.

Expenditure of £11,906,480 authorised out of the revenue and funds of the Western Region. Schedule. 2. The Regional Treasurer may, on the warrant of the Lieutenant-Governor, pay out of the revenue and other funds of the Western Region during the year ending on the 31st day of March, 1955, any sums not exceeding in the whole the revised sum of eleven million nine hundred and six thousand, four hundred and eighty pounds being the total of the revised amounts set forth opposite Heads 301 to 344 in the Schedule hereto.

Appropriation of £11,906,480. 3. The said sums, in the whole not exceeding the sum of eleven million nine hundred and six thousand, four hundred and eighty pounds, shall be appropriated to the purposes and in the manner expressed in the Schedule hereto.

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, 1955, 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

	£
301. The Governor	24,290
302. Executive	13,210
303. Ministry of Agriculture and Natural Resources	12,840
304. Agriculture	320,810
305. Forestry	117,080
306. Veterinary	42,370
307. Civil Secretary's Office	18,030
308. Administration	339,150
309. Police	348,180
310. Printing and Stationery	106,290
311. Public Relations	77,170
312. Ministry of Education	14,440
313. Education	3,608,210
314. Ministry of Finance	23,690
315. Treasury	59,050
316. Ministry of Public Health	10,360
317. Medical Services	984,870
318. Ministry of Lands	10,670
319. Land	44,190
320. Survey	99,870
321. Ministry of Local Development	13,020
322. Co-operative Societies	46,690
323. Social Welfare	28,950

Carried forward

£6,363,430

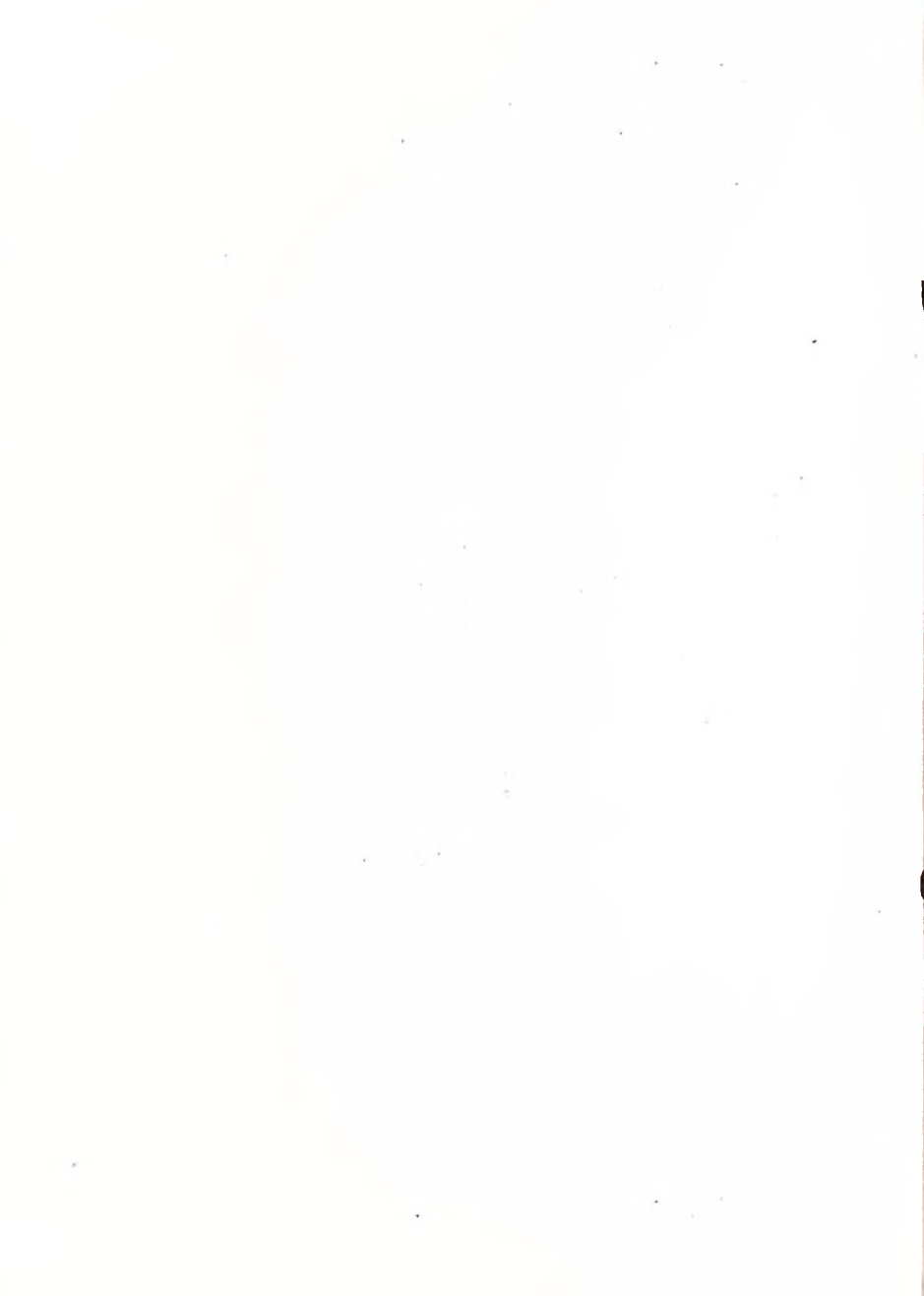
SCHEDULE—*contd.*

	£
	Brought forward
	£6,363,430
324. Ministry of Local Government	26,770
325. Ministry of Public Works	11,650
326. Public Works	361,480
327. Public Works Recurrent : Maintenance Works	471,210
328. Public Works Recurrent : Maintenance Services	32,070
329. Public Works Extraordinary	1,699,060
330. Legislature	72,930
331. Miscellaneous	1,987,800
332. Public Debt Charges	60,000
333. Subventions	595,630
334. Premier's Office	12,510
335. Audit	16,330
336. Produce Inspection	68,700
337. Ministry of Justice	1,560
338. Legal	8,660
339. Judicial	51,190
340. Public Service Commission	29,820
341. Pensions and Gratuities	1,300
342. Industries	22,610
343. Western Region London Office	9,500
344. Ministry of Home Affairs	2,270
	<u>£11,906,480</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.

W. A. SALAMI,

Acting Clerk of the Western House of Assembly



W.R.L.N. 110 of 1954*ORDER made under section 9 of THE WATERWORKS
ORDINANCE (Cap. 227)*

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, 1954, and shall apply to the Ibadan Tax area, the boundaries of which are marked and delineated in red on the 1937 Survey Plan of the Ibadan Rural District (Scale 1 : 125,000) a copy of which plan is deposited at and available for inspection during normal office hours at the Ibadan District Council Tax Office.

2. This Order shall not apply to the following persons or classes of persons

(a) adult males over sixteen years of age who are not natives of Ibadan and who do not reside in or own tenements within the area marked and delineated in blue on Plan P.W.D. IB. No. 3818 which plan is deposited at and available for inspection during normal office hours at the Town Engineer's Office, Ibadan ;

(b) students in full time attendance at any school, college, or training centre ;

(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.

3. An annual general water rate of six shillings is hereby levied on all male persons over sixteen years of age resident within the Ibadan Tax area as defined in paragraph 1 of this Order. Levy of
General
Water rate.

This general rate shall be payable yearly in advance on or before the 1st day of April and the first payment shall be deemed to have become due on the 1st day of April, 1954.

4. Order No. 16 of 1944 is hereby revoked. Revocation
of Order 16
of 1944.

MADE at Ibadan this 12th day of August, 1954.

By the Ibadan District Council's Order,

A. ADELABU,
Chairman, Ibadan District Council

V. O. ESAN,
Secretary, Ibadan District Council

APPROVED by the Lieutenant-Governor this 23rd day of September, 1954.

A. G. R. MOORING,
Acting Lieutenant-Governor, Western Region

W.R.L.N. 111 of 1954

BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)

THE MAKUN (SHAGAMU) LOCAL COUNCIL (MAINTENANCE OF ORDER) BYE-LAWS, 1954

In exercise of the powers conferred upon Local Government Councils by sections 57 and 77 of the Western Region Local Government Law, 1952, the following Bye-laws are made by the Makun (Shagamu) Local Council with the approval of the Local Government Inspector, Ijebu Province.

Short title. 1. These Bye-laws may be cited as the Makun (Shagamu) Local Council (Maintenance of Order) Bye-laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Makun (Shagamu) Local Council.

Definitions. 2. In these Bye-laws :—

“Council” means the Makun (Shagamu) Local Council ;

“night-guard” includes such person as may be appointed by the Makun (Shagamu) Local Council to be a night-guard for the purposes of these Bye-laws ;

“night-guard’s hours of duty” means the period from 10 p.m. to 6 a.m. next following.

Security. 3. No persons shall leave the house where they normally live and keep properties without security. Persons who do not live or stay in their houses at periodic intervals must take protective measures to secure such articles of their property as they leave behind when they are absent from home.

Prohibition. 4. Any person who :—

(a) blows a whistle during the night-guard’s hours of duty ;

(b) leaves his or her house during the night-guard’s hours of duty without carrying a lighted lamp ;

(c) fails to halt when required to do so by a night-guard ; or

(d) refuses to answer any reasonable question asked by a night-guard with a view to ascertaining that the person concerned is engaged on lawful business ;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50 (Fifty pounds) or in default of payment imprisonment not exceeding six months.

MADE by the Makun (Shagamu) Local Council this 26th day of July, 1954, the common seal of the Makun (Shagamu) Local Council being hereto affixed, in the presence of :—

ADE AIYEOLA, *Afolu II*

President, Makun (Shagamu) Local Council

ADEBAYO AINA,

Chairman, Makun (Shagamu) Local Council

M. J. FAWOLE,

Secretary, Makun (Shagamu) Local Council

APPROVED by me this 21st day of August, 1954.

A. J. PHILLIPS,

Local Government Inspector, Ijebu Province

W.R.L.N. 112 of 1954

BYE-LAWS made under THE WESTERN REGION LOCAL
GOVERNMENT LAW, 1952 (No. 1 of 1953)THE ILISHAN LOCAL COUNCIL (MAINTENANCE OF ORDER)
BYE-LAWS, 1954

In exercise of the powers conferred upon local government councils by sections 57 and 77 of the Western Region Local Government Law, 1952, the following Bye-laws are made by the Ilishan Local Council with the approval of the Local Government Inspector, Ijebu Province, to whom powers of approval have been delegated.

1. These Bye-laws may be cited as the Ilishan Local Council (Maintenance of Order) Bye-laws, 1954, and shall apply to all persons normally subject to the jurisdiction of the Ilishan Local Council. Short title.

2. In these Bye-laws :— Definitions.

“Council” means the Ilishan Local Council ;

“night-guard” includes such person as may be appointed by the Ilishan Local Council to be a night-guard for the purpose of these Bye-laws :

“night-guard’s hours of duty” means the period from 7 p.m. to 7 a.m. next following.

3. Any person who :— Prohibition.

(a) blows a whistle during the night-guard’s hours of duty :

(b) leaves his or her house during the night-guard’s hours of duty without carrying a lighted lamp :

(c) fails to halt when required to do so by a night-guard : or

(d) refuses to answer any reasonable question asked by a night-guard with a view to ascertaining that the person concerned is engaged on lawful business :

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £50 (Fifty Pounds) or in default of payment imprisonment not exceeding six months.

MADE by the Ilishan Local Council this 20th day of July, 1954.

The common seal of the Ilishan Local Council being hereto affixed in the presence of

I. O. GREEN-ADEBO,
Chairman, Ilishan Local Council

J. AWODEIN,
Acting Secretary, Ilishan Local Council

APPROVED by me this 10th day of September, 1954.

A. J. PHILLIPS,
Local Government Inspector

W.R.L.N. 113 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IJESHA DIVISIONAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Divisional Council entitled the Ijesha Divisional Council (hereinafter called "the Council") shall be established upon the 18th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijesha Divisional Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area comprising the Ilesha administrative Division.

4. The President of the Council shall be the Owa of Ijeshaland and a Chairman shall be elected in accordance with paragraph 12 of this Instrument.

5. The Council shall consist of fifty-seven members, namely :

- The President
- Fourteen traditional members
- Forty-two elected members.

6. The quorum shall be nineteen members.

7. Ten of the traditional members shall hold office indefinitely and shall not retire with the elected members and shall be the persons for the time being holding the following titles :-

- | | |
|----------------------------------|---------------------------------|
| (a) The Obanla of Ilesha ; | (f) The Ogboni of Ipole ; |
| (b) The Odole of Ilesha ; | (g) The Apetu of Ipetu-Ijesha ; |
| (c) The Lejoka of Ilesha ; | (h) The Loja-Oke of Imesi-Ile ; |
| (d) The Ogboni of Ibokun ; | (i) The Bale of Ifewara ; |
| (e) The Ogboni of Ijebu-Ijesha ; | (j) The Loja of Esa-Oke ; |

Of the remaining four traditional members who shall retire after each year unless re-elected, two shall be elected annually by secret ballot from and amongst the traditional members of the Ilesha Urban District Council, and two shall be elected annually by secret ballot by and from amongst the traditional members of the Local Councils set out in paragraph 8.

8. The forty-two elected members of the Council shall be elected by and from amongst the members, both elected and traditional, of the following District and Local Councils in accordance with the following table :

Provided that a District or Local Council may elect a person who is not one of its members to be a member of the Divisional Council if—

(a) such person has not been defeated as a candidate for election to the District or Local Council at the most recent general election to that Council ; and

(b) he possesses the qualifications required for membership of that particular District or Local Council.

<i>Name of District or Local Council</i>	<i>Number of persons to be elected</i>
Ilesha Urban District Council	16
Ipetu-Ijesha/Ikeji Local Council	3
Ibokun Local Council	2
Ijebu-Ijesha Local Council ... ..	...1
Kiriji Local Council ... ..	...2
Irepodun Local Council	2
Iwara Local Council	1
Ifewara Local Council	1
Erin Local Council	1
Oke-'Bode Local Council	1
Aiyetoro Local Council	1
Aiyegunle Local Council	1
Muroko Local Council	1
Esa-Oke Local Council	1
Ifelodun Local Council	1
Oshun Local Council	2
Aiyepeju Local Council	1
Ilupeju Local Council	1
Itaganmodi Local Council	1
Isaobi Local Council	1
Ibodi Local Council	1

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9. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of elected members :—

Parts I, II, V, VI, VII.

10. The first elections to the Council shall be held on the 12th day of April, 1955, and the first meeting of the Council shall be held on the 18th day of April, 1955.

11. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

12. Subject to the provisions of section 29 of the Law, the Chairman of the Council shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

13. The functions of the Council shall be as set out in the Schedule to this Instrument :

Provided that—

(i) in any matter in which the Divisional Council and a District or Local Council are, or hereafter shall be, empowered to exercise concurrent functions, the Divisional Council shall not make any bye-law inconsistent with any provisions of a bye-law made by a District or Local Council and to which the District or Local Council objects, without the approval of the Minister for Local Government ;

(ii) in any matter in which the Divisional Council and a District or Local Council are exercising concurrent functions for which provision is not made by bye-laws and there is a conflict in the exercise of such functions to which a District or Local Council objects, such functions shall not be exercised by the Divisional Council without the approval of the Minister for Local Government.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IJESHA DIVISIONAL COUNCIL

SCHEDULE

In addition to those functions conferred upon Divisional Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF ANY OTHER COUNCIL

(i) *Obligatory Functions*

The Council shall —

(a) maintain, repair and equip all Native Courts within the area of its jurisdiction, engage and pay adequate staff for such courts, and pay to the duly appointed members of such courts such sitting fees as the Local Government Inspector in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve ;

(b) ensure that all fines, fees, forfeitures and penalties in respect of or as a result of, proceedings in all Native Courts within the area of its jurisdiction are paid to the general revenue of the Council ;

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(d) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(e) be the rating authority for the Ilesha Division in accordance with section 109 of the Law.

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (c) above or which the Central or Regional Government or the Local or District Councils in the Ilesha Division maintain ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(f) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(1), (2), (3), (5), (7), (8), (11), (21), (24), (26), (30), (37), (47), (47a), (56), (57), (60), (68), (72), (72a), (80), (81), (81a), (82).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE DISTRICT AND LOCAL COUNCILS IN ITS AREA.

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

C.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE ILESHA URBAN DISTRICT COUNCIL.

The Council may—

(a) build, equip and maintain any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform the functions contained in paragraph (75) of section 71 of the Law.

W.R.L.N. 114 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

**INSTRUMENT ESTABLISHING THE ILESHA URBAN
DISTRICT COUNCIL**

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ilesha Urban District Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ilesha Urban District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be Ilesha Town, namely, the area covered by a circle, centre the Ilesha Town Hall (Obokungbusi) and radius $1\frac{1}{2}$ miles, and Imo and Irojo village areas.

4. A Chairman of the Council shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of forty-eight members, namely :

Twelve traditional members

Thirty-six elected members.

6. The quorum shall consist of sixteen.

7. (1) Ten of the twelve traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :

(a) The Obanla of Ilesha ;

(b) The Ogboni of Ilesha ;

(c) The Oba-Odo of Ilesha ;

(d) The Odole of Ilesha ;

(e) The Risawe of Ilesha ;

(f) The Lejoka of Ilesha ;

(g) The Loro of Ilesha ;

(h) The Saloro of Ilesha ;

(i) The Lejofi of Ilesha ;

(j) The Arise of Ilesha.

(2) The eleventh traditional member, who shall retire after one year, shall be the Arapate of Ilesha, the Lemodu of Ilesha or the Lokiran of Ilesha in annual rotation in that order.

(3) The twelfth traditional member, who shall retire after one year shall be the Ejemo of Okesha-Ilesha or the Bamura of Ilesha in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty-six elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Upper Okesha (Ita Okesha-Erungbe)	1
2. Lower Okesha (Ita Asha-Ita Okesha)	1
3. Oke-Esho	1
4. Igbaye	1
5. Ifoshan-Imo	1
6. Upper Egbeedi (Idi-Ayan-Hospital)	1
7. Lower Egbeedi (Olulode Compound-Idi-Ayan)	1
8. Itishin-Ilemo	1
9. Upper Ijoka (Ita-B'Ogunloko-Agbede Ami)	1
10. Lower Ijoka (Otapete-Ita-B'Ogunloko)	1
11. Ijamo	1
12. Ibosinrin-Orikiran-Itakogun	1
13. Iwere	1
14. Isinkin	1
15. Upper Igbogi (Abitiri)	1
16. Lower Igbogi (Olomukogun)	1
17. Ishokun	1
18. Ikoti	1
19. Omofe	1
20. Idasa	1
21. Ikoyi-Oromu-Aragan	1
22. Ereja	1
23. Odo-Agbede-Isida-Odo-Eshira	1
24. Iroye	1
25. Anaye	1
26. Iloro	1
27. Idifi-Idio	1
28. Upper Ifofin-Padi-Irojo (Southern part of Akata)	1
29. Lower Ifofin (Northern part of Akata Ifofin)	1
30. Isare-Okc-Oye	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
31. Ishona	1
32. Oke-Iro	1
33. Ijofi	1
34. Odo-Iro-Orogha... ..	1
35. Ayesho	1
36. Oke-Iyin-Oke-Eshe	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 1st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IJESHA URBAN DISTRICT COUNCIL

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall :—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may :—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33),
(38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55),
(59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY
WITH THE IJESHA DIVISIONAL COUNCIL

The Council may :—

- (a) in accordance with paragraph (35) of section 71 of the Law, build, equip and maintain, or grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers.

- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65),
(66), (69), (73), (74), (75), (76), (79).

W.R.L.N. 115 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

**INSTRUMENT ESTABLISHING THE IPETU-IJESHA/IKEJI
LOCAL COUNCIL**

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ipetu-Ijesha/Ikeji Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.
2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ipetu-Ijesha/Ikeji Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ipetu-Ijesha, New Ikeji and Old Ikeji village areas.
4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.
5. The Council shall consist of twenty-four members, namely :
Six traditional members
Eighteen elected members.
6. The quorum shall be twelve members.
7. The six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—
 - (a) The Apetu of Ipetu-Ijesha ;
 - (b) The Akeji of New Ikeji ;
 - (c) The Akeji of Old Ikeji ;
 - (d) The Risa of Ipetu-Ijesha ;
 - (e) The Risa of New Ikeji ;
 - (f) The Risa of Old Ikeji.
8. The persons who are entitled to elect the elected members (hereinafter called the voters) shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.
9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Araromi-Obalende	Ipetu ...	1
2. Oke-Owa West-Abebi	Ipetu ...	1
3. Ifofin	Ipetu ...	1
4. Igando-Omiodo	Ipetu ...	1
5. Oke-Owa South-Oke Agunla	Ipetu ...	1
6. Itamerin-Iloro South	Ipetu ...	1
7. Iloro East Odoise	Ipetu ...	1
8. Aiyegbaju-Iloda	Ipetu ...	1
9. Upper Gbaungbaun-Ologudu	Ipetu ...	1
10. Lower Gbaungbaun-Wasimi	Ipetu ...	1
11. Oke-Afin, Imosi, Ilokun and Odo-Ipo ...	Old Ikeji ...	1
12. Oke-Ode, Odo-Arigbo, Odo-Osun, Ija-Oke, Ija-Odo and Obalende ...	Old Ikeji ...	1
13. Arakata, Ogbontitun and Enuodi ...	Old Ikeji ...	1
14. Odo-Ira, Ipele, Idi-Ayan and Oke-Ira ...	Old Ikeji ...	1
15. Arc	New Ikeji ...	1
16. Emo	New Ikeji ...	1
17. Iro	New Ikeji ...	1
18. Omode-Owa	New Ikeji ...	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 4th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 116 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IBOKUN LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ibokun Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ibokun Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ibokun, Ipetu-Ibokun, Ikinyinwa, Ilahun, Ada-Owode and Itiya village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

Six traditional members

Eighteen elected members.

6. The quorum shall be twelve.

7. (1) Three of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

(a) The Ogboni of Ibokun

(b) The Apetu of Ipetu-Ibokun

(c) The Akinyinwa of Ikinyinwa.

(2) The remaining three traditional members shall be the three persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the three next in turn :—

(i) The Odofin of Ibokun ;

(ii) The Lomase of Ipetu-Ibokun ;

(iii) The Risa of Ikinyinwa ;

(iv) The Ejemu of Ibokun ;

(v) The Risase of Ipetu-Ibokun ;

(vi) The Risa of Ilahun ;

(vii) The Aro of Ibokun ;

(viii) The Odofin of Ipetu-Ibokun ;

(ix) The Atia of Itia ;

(x) The Saba of Ibokun ;

(xi) The Saloro of Ipetu-Ibokun ;

(xii) The Sajuku of Ibokun ;

(xiii) The Lorimodebokun of Ibokun ;

(xiv) The Loin of Ibokun ;

(xv) The Banurin of Ibokun ;

(xvi) The Odofin of Ibokun

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called the voters) shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Oke-Eshe	Ibokun	1
2. Ogbon-Egbe	Ibokun	1
3. Iparuku	Ibokun	1
4. Odo-Agbala	Ibokun	1
5. Ifosan	Ibokun	1
6. Odoruwo	Ibokun	1
7. Oke-Oye	Ibokun	1
8. Itagi	Ibokun	1
9. Odo-Olupo	Ibokun	1
10. Orudi	Ibokun	1
11. Itia	Itia	1
12. Ada-Owode	Ada-Owode	1
13. Ilahun	Ilahun	1
14. Oke-Ode	Ikinyinwa	1
15. Obalomo	Ikinyinwa	1
16. Ogbon Apetu	Ipetu-Ibokun	1
17. Oke-Ita	Ipetu-Ibokun	1
18. Odo Olubade	Ipetu-Ibokun	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the election of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 10th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,

Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE JESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law :

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain :

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain :

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area :

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE JESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers :

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 117 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IJEBU-IJESHA LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ijebu-Ijesha Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ijebu-Ijesha Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ijebu-Ijesha, Iwoye, Esa-Odo and Iloo village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Four of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- | | |
|--------------------------------|-----------------------|
| (a) The Ogboni of Ijebu-Ijesha | (c) The Loja of Iwoye |
| (b) The Loja of Esa-Odo | (d) The Aloo of Iloo. |

(2) The remaining two traditional members shall be the two persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the two next in turn :—

- | | |
|----------------------------------|---|
| (i) The Odofin of Ijebu-Ijesha : | (vi) The Obanla of Esa-Odo : |
| (ii) The Loyin of Esa-Odo : | (vii) The Bajimo of Ijebu-Ijesha : |
| (iii) The Saba of Ijebu-Ijesha : | (viii) The Loyin Saloro of Ijebu-Ijesha : |
| (iv) The Orisa of Iwoye : | (ix) The Risawe of Ijebu-Ijesha : |
| (v) The Sajuku of Ijebu-Ijesha : | (x) The Odofin of Ijebu-Ijesha : |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Odo Eshe Odogo A1	Ijebu-Ijesha	1
2. Odo-Eshe A2	Ijebu-Ijesha	1
3. Odo Eshe A3	Ijebu-Ijesha	1
4. Odo-Oja B1	Ijebu-Ijesha	1
5. Odo-Oja B2	Ijebu-Ijesha	1
6. Odo-Oja B3	Ijebu-Ijesha	1
7. Okenisa C1	Ijebu-Ijesha	1
8. Okenisa-Iloro C2	Ijebu-Ijesha	1
9. Iloro C3	Ijebu-Ijesha	1
10. Ijebu	Esa-Odo	1
11. Oke Aba	Esa-Odo	1
12. Oke Ilumoko	Esa-Odo	1
13. Odo Aregun	Esa-Odo	1
14. Odo Iloro	Esa-Odo	1
15. Ode Iwoye	Iwoye	1
16. Oke Iwoye	Iwoye	1
17. Agbede	Iwoye	1
18. Iloo	Iloo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 : 62-91
VI	109-121
VII	122-126

That is to say the method of elections shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations an election is required, the first election to the Council shall be held on the 7th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 118 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE KIRIJI LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Kiriji Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Kiriji Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Imesi-Ile, Otan-Ile and Ilare village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve.

7. (1) Three of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Oloja-Oke of Imesi-Ile
- (b) The Olotan of Otan-Ile ;
- (c) The Alare of Ilare.

(2) The fourth traditional member shall be elected each year by secret ballot by and from amongst the following chiefs of Imesi-Ile :—

- | | |
|---------------------------|---------------------------------|
| The Obanla of Imesi-Ile ; | The Lomofe of Imesi-Ile ; |
| The Odofin of Imesi-Ile ; | The Lokiran of Imesi-Ile ; |
| The Aro of Imesi-Ile ; | The Saloro of Imesi-Ile ; |
| The Osolo of Imesi-Ile ; | The Odole of Imesi-Ile ; |
| The Inurin of Imesi-Ile ; | The Sukoti of Imesi-Ile ; |
| The Oisaba of Imesi-Ile ; | The Arapate of Imesi-Ile ; |
| The Sajuku of Imesi-Ile ; | The Arowa of Imesi-Ile ; |
| The Lejua of Imesi-Ile ; | The Omirangunsin of Imesi-Ile ; |
| The Legiri of Imesi-Ile ; | The Erulua of Imesi-Ile ; |
| The Sapaye of Imesi-Ile ; | The Ejemu of Imesi-Ile ; |

The Lerio of Imesi-Ile ;
 The Bajimo of Imesi-Ile ;
 The Kikosin of Imesi-Ile ;
 The Osinkin of Imesi-Ile ;
 The Lesogan of Imesi-Ile ;

The Lejoka of Imesi-Ile ;
 The Osunta of Imesi-Ile ;
 The Ejemu-Sogan of Imesi-Ile ;
 The Lejofi of Imesi-Ile.

(3) The fifth traditional member shall be elected each year by secret ballot by and from amongst the following chiefs of Otan-Ile :—

The Obanla of Otan-Ile ;
 The Odofin of Otan-Ile ;
 The Ejemu of Otan-Ile ;
 The Saloro of Otan-Ile ;
 The Asawo of Otan-Ile ;
 The Risawe of Otan-Ile ;
 The Renu of Otan-Ile ;
 The Oshuta of Otan-Ile ;
 The Legiri of Otan-Ile ;
 The Risinkin of Otan-Ile ;
 The Oba-Odo of Otan-Ile ;
 The Odole of Otan-Ile ;
 The Elemu of Otan-Ile ;
 The Lemikan of Otan-Ile ;
 The Banikun of Otan-Ile ;
 The Batishin of Otan-Ile ;
 The Lejua of Otan-Ile ;
 The Lejofi of Otan-Ile ;
 The Sukoti of Otan-Ile ;
 The Banurin of Otan-Ile ;
 The Waroayo of Otan-Ile ;
 The Balomo of Otan-Ile ;

The Osolo of Otan-Ile ;
 The Sapaye of Otan-Ile ;
 The Lemona of Otan-Ile ;
 The Sajuku of Otan-Ile ;
 The Lokiran of Otan-Ile ;
 The Saba of Otan-Ile ;
 The Asaba of Otan-Ile ;
 The Segbua of Otan-Ile ;
 The Jagunna of Otan-Ile ;
 The Losanu of Otan-Ile ;
 The Seriki of Otan-Ile ;
 The Risajua of Otan-Ile ;
 The Risaba of Otan-Ile ;
 The Aro of Otan-Ile ;
 The Lodifi of Otan-Ile ;
 The Inurin of Otan-Ile ;
 The Loogan of Otan-Ile ;
 The Igbaakin of Otan-Ile ;
 The Lagbede of Otan-Ile ;
 The Balogun of Otan-Ile ;
 The Odogun of Otan-Ile.

(4) The sixth traditional member shall be elected each year by secret ballot by and from amongst the following chiefs of Ilare :—

The Obanla of Ilare ;
 The Odofin of Ilare ;
 The Ejemu of Ilare ;
 The Aro of Ilare ;
 The Asolo of Ilare ;
 The Sajuku of Ilare ;
 The Odole of Ilare ;
 The Arapate of Ilare ;
 The Sukoti of Ilare ;
 The Saba of Ilare ;
 The Balurin of Ilare ;
 The Sorundi of Ilare ;
 The Saloro of Ilare ;
 The Risinkin of Ilare ;

The Lejua of Ilare ;
 The Lejoka of Ilare ;
 The Lodifi of Ilare ;
 The Lokiran of Ilare ;
 The Lomofe of Ilare ;
 The Legiri of Ilare ;
 The Saribi of Ilare ;
 The Leisu of Ilare ;
 The Bajimo of Ilare ;
 The Batishin of Ilare ;
 The Kikosin of Ilare ;
 The Olosi of Ilare ;
 The Lejofi of Ilare.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Odowo	Imesi-Ile	1
2. Odo-cse	Imesi-Ile	1
3. Ijana-Oko A	Imesi-Ile	1
4. Ijana-Oko B	Imesi-Ile	1
5. Ijana-Odo	Imesi-Ile	1
6. Odobi	Imesi-Ile	1
7. Odoba	Imesi-Ile	1
8. Okerena	Imesi-Ile	1
9. Oke-Iro	Imesi-Ile	1
10. Itiwo	Imesi-Ile	1
11. Imojigbon	Otan-Ile	1
12. Imuo	Otan-Ile	1
13. Inigbo	Otan-Ile	1
14. Eyindi	Otan-Ile	1
15. Odo-Oroki	Otan-Ile	1
16. Oke-Eyindi	Ilare	1
17. Odo-Oja	Ilare	1
18. Odo-Idofin	Ilare	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of elections shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 10th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument, MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE HIESHA DIVISIONAL COUNCIL.

(i) Obligatory Functions

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council :

(ii) Permissive Functions

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).
- (e) issue a precept to require the rating authority to make and levy in any one year a general rate not exceeding double the amounts set out in sub-section 6 of section 132 of the Law.

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE HIESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73) (74), (76), (79).

W.R.L.N. 119 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE IREPODUN LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Irepodun Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Irepodun Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Iperindo, Odo, Ipole, Ise, Aiyegunle, Imogbara, Ida-Ado, Ilaye, Ijemba, Irogbo, Ikoromoja, Igbagiri and Ilerin village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :—

Six traditional members
 Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Four of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

(a) The Ogboni of Ipole ;	(c) The Loja of Odo ;
(b) The Tirimi of Iperindo ;	(d) The Lilerin of Ilerin.

(2) The remaining two traditional members shall be the two persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the two next in turn :—

(i) The Arogbo of Irogbo ;	(vii) The Loyin of Aiyegunle ;
(ii) The Onise of Ise ;	(viii) The Loyin of Ida-Ado ;
(iii) The Loja of Imogbara ;	(ix) The Saba of Odo ;
(iv) The Akoromoja of Ikoromoja ;	(x) The Enurin of Ipole ;
(v) The Risa of Ijemba ;	(xi) The Lori-Otun of Iperindo ;
(vi) The Oba of Ilaye ;	(xii) The Arogbo of Irogbo ;

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Oke-Oja (Iperindo)	1
2. Oke-Ode (Iperindo)	1
3. Atiba (Iperindo)	1
4. Odo-Odi (Iperindo)	1
5. Ilahun (Odo)	1
6. Oke-Oja (Odo)	1
7. Okun (Odo)	1
8. Oke-Ode Ipole (including Ogboni's Compound (Ipole)	1
9. Ijakuro (including Odofin's Compound) (Ipole)	1
10. Ise	1
11. Aiyegunle	1
12. Imogbara... ..	1
13. Irogbo	1
14. Ilerin	1
15. Ikeromaja/Igbagiri	1
16. Ijemba	1
17. Ilaye	1
18. Ida-Ado	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II... ..	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 21st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may :—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may :—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 120 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IWARA LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Iwara Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Iwara Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Iwara, Igangan, Imobi, Iyinta, Odo-Iwara, Iwikun, Oke-Agbede, Ilota, Irode, Oko-Igbo, Igbigbon, Odo-Owe, Aiyegbaju, Ilora, Iloroke and Ijigun village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. The six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- | | |
|---------------------------|-----------------------------|
| (a) The Awara of Iwara ; | (d) The Awikun of Iwikun ; |
| (b) The Salio of Ilota ; | (e) The Lumobi of Imobi ; |
| (c) The Loye of Igangan ; | (f) The Aigbon of Igbigbon. |

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ogbon Okun (Iwara)	1
2. Opopo Oja (Iwara).	1
3. Odo Ilaye (Igangan)	1
4. Ehindi-Isale Igangan	1
5. Oke Igangan	1
6. Iroko Olomo (Igangan)	1
7. Oke Imobi (Imobi)	1
8. Odo Ale (Imobi)	1
9. Iyinta	1
10. Popo Agbaye (Odo-Iwara)	1
11. Ejemo (Odo-Iwara)	1
12. Iwikun/Oke-Agbede	1
13. Ilota	1
14. Irode	1
15. Oko-Igbo	1
16. Igbigbon	1
17. Odo-Owe/Aiyegbaju	1
18. Hora/Horoke/Ijigun	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 14th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members, of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to the Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is, under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 121 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IFEWARA LOCAL COUNCIL.

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ifewara Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ifewara Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ifewara and Bowaje village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of sixteen members, namely :

Four traditional members

Twelve elected members.

6. The quorum shall be eight members.

7. The four traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

(a) The Bale of Ifewara ;

(c) Chief Aguro of Ifewara ;

(b) Chief Abowaje of Bowaje ;

(d) Chief Ejio of Ifewara.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twelve elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Imore	Ifewara	1
2. Ilare	Ifewara	1
3. Ireemo I	Ifewara	1
4. Ireemo II	Ifewara	1
5. Ikogun	Ifewara	1
6. Okerewe	Ifewara	1
7. Aiyesanmi	Ifewara	1
8. Ilode	Ifewara	1
9. Atiba	Ifewara	1
10. Ojafa	Ifewara	1
11. Aba Ajala	Bowaje	1
12. Aba Nla and Aba Eku	Bowaje	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 17th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJESHA DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
IJESHA DIVISIONAL COUNCIL.

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 122 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ERIN LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Erin Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Erin Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Erin-Odo, Erin-Oke and Omo village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of sixteen members, namely :

- Four traditional members
- Twelve elected members.

6. The quorum shall be eight members.

7. (1) Three of the four traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Akinla of Erin-Odo ;
- (b) The Aloa of Erin-Oke ;
- (c) The Olomo of Omo.

(2) The fourth traditional member, who shall retire after one year, shall be the Risa Akinla of Erin-Odo, the Sajowa or Erin-Odo, the Risa Aloa of Erin-Oke or the Risa-Olomo of Omo in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twelve elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Imose	Erin-Oke	1
2. Isun	Erin-Oke	1
3. New Street	Erin-Oke	1
4. Odofin	Erin-Oke	1
5. Isunbe	Erin-Oke	1
6. Inisha Street	Erin-Odo	1
7. Imose Street	Erin-Odo	1
8. Iro-Odo Street	Erin-Odo	1
9. Idi Ayan Street	Erin-Odo	1
10. Ogbon Tuntun Street	Erin-Odo	1
11. Odo Omo Street	Omo	1
12. Ikehin Street	Omo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 4th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (71), (74), (76), (79).

W.R.L.N. 123 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE OKE'BODE LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Oke'Bode Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Oke'Bode Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Oke'Bode, Iloro-Oko, Oke-Osin, Lala, Oko-Apara, Aba Prince, Ikoyi, Abebeyun, Aba Ajayi-Obe, Oko-Eshira, Kajola, Omirinmirin, Lufadeju, Jela, Sawe, Osoro, Araromi and Ogiriya village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

Six traditional members

Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Two of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

(a) The Loja of Oke'Bode

(b) The Aloro of Iloro-Oko.

(2) The remaining four traditional members shall be the four persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the four next in turn :—

(i) The Loyin of Oke-Osin ;

(ii) The Bale of Lala ;

(iii) The Risa of Oke'Bode ;

(iv) The Loriomo of Ababeyun

(v) The Loriomo of Ikoyi ;

(vi) The Asipa of Omirinmirin ;

(vii) The Loyin of Oke-Osin ;

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ata (Okebode)	1
2. Iloro (Okebode)	1
3. Agunlejika (Okebode)	1
4. Agamo (Okebode)	1
5. Oke Oja (Okebode)	1
6. Odo Oja (Okebode)	1
7. Okedena I (Okebode)	1
8. Okedena II (Okebode)	1
9. Latoro (Okebode)	1
10. Oke Iloro (Iloro Oko)	1
11. Odo Iloro (Iloro Oko)	1
12. Oke Osin	1
13. Lala I	1
14. Lala II	1
15. Oko-Apara/Oko-Eshira/Kakola/Jela	1
16. Omirinmirin/Ajayi-Obe/Lufadeju	1
17. Sawe/Osoro/Araromi	1
18. Ikeyi/Aba Prince	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22 31 ; 62-91
VI	109-121
VII	122-126.

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 24th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
 - (4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
 - (6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 124 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE AIYEGUNLE LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Aiyegunle Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Aiyegunle Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ile-Igbo, Ikete, Ipa-Aruku, Odogbo, Owivi, Ogege, Alaye, Adigun, Ajido, Idi-Iroko, Faro, Ita-Apa, Onireke, Erudu I, Erudu II, Fegbejore, Olowu, Aladodo, Eti-Oni, Otokobo and Agbon village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. The six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- | | |
|---------------------------|------------------------------|
| (a) The Loyin of Odogbo ; | (d) The Alapa of Itapa ; |
| (b) The Loyin of Ajido ; | (e) The Aladodo of Aladodo ; |
| (c) The Oloni of Etioni ; | (f) The Faro of Faro. |

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ile-Igbo	1
2. Ikete/Ipauku	1
3. Odogbo (Idioshe)	1
4. Odogbo (Oke Odo)	1
5. Owiji/Ogere/Alaye	1
6. Adigun	1
7. Ajido	1
8. Idi Iroko/Faro	1
9. Ita-Apa (Idi Olododo)	1
10. Ita-Apa (Orititi)	1
11. Onireke	1
12. Erudu I/Erudu II/Fegbejore	1
13. Olowu	1
14. Aladodo	1
15. Oko Obembe	1
16. Etioni-Gureje	1
17. Etioni-Ori Eguru	1
18. Otokobo/Agbon	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 17th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may —

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
IJESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 125 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE MUROKO LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Muroko Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Muroko Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Illa, Ipoye, Isolo, Oke-Omo, Oke-Awo, Iloya, Isireyun, Oko-Igbo, Iloringbon, Imaika, Ikebe, Odo-Ogidigbo, Oko-Saloro, Aba Olowu-Emu, Aba-Adanri and the Oko Baba Ibadan village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Three of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Olomo of Oke-Omo ;
- (b) The Ala of Illa ;
- (c) The Araromi of Isireyun.

(2) The remaining three traditional members shall be the three persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the three next in turn :—

- | | |
|-------------------------------|-------------------------------|
| (i) The Asolo of Isolo ; | (v) The Loyin of Iloringbon ; |
| (ii) The Bale of Ipoye ; | (vi) The Loyin of Imaika ; |
| (iii) The Aloya of Iloya ; | (vii) The Asolo of Isolo. |
| (iv) The Lususi of Oke-Igbo ; | |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ogbon Ala (Illa)	1
2. Oke-Ode (Illa)	1
3. Odo-Ode (Illa)	1
4. Ogbon Arin (Illa)	1
5. Ogbon Titun (Illa)	1
6. Ogbon Arin (Ipoye)	1
7. Ona Oko (Ipoye)	1
8. Soko (Ipoye)	1
9. Owode (Isolo)	1
10. Imobi (Isolo)	1
11. Omo	1
12. Erinketa	1
13. Wasimi	1
14. Aloya	1
15. Owode (Oko Igbo)	1
16. Iloringbon	1
17. Oko-Saloro, Olowo-Emu/Adanri	1
18. Imaika, Ikebe, Odo Ogidigbo, Oko Baba Ibadan	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 24th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
 - (4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

- (6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 126 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ESA-OKE LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Esa-Oke Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Esa-Oke Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Esa-Oke village area.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of sixteen members, namely :

Four traditional members
Twelve elected members.

6. The quorum shall be eight members.

7. (1) One of the four traditional members shall continue to hold office and shall not retire with the elected members and shall be the person for the time being holding the title of Loja of Esa-Oke.

(2) The remaining three traditional members shall be the three persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the three next in turn :—

- | | |
|--------------------------------|---------------------------------------|
| (i) Chief Ogboni of Esa-Oke ; | (iv) Chief Odofin of Erinjinyan ; and |
| (ii) Chief Asalu of Odo-Eshe ; | (v) Chief Ogboni of Esa-Oke ; |
| (iii) Chief Obafin of Idofin ; | |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twelve elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Asaba	1
2. Obalogbo... ..	1
3. Ogboni	1
4. Omirangbuyi	1
5. Osolo	1
6. Odogun	1
7. Olowa	1
8. Enurin	1
9. Asalu	1
10. Olobc	1
11. Odobaja	1
12. Obafin	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 7th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4) (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY
WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 127 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE OSHUN LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Oshun Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Oshun Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ilashe, Iponda, Esun, Idoka, Ido-Oko, Ibala, Ilowa, Idominasi, Iregun, Ijana-Itarua, Ijaregbe, Igogo, Isagbe and Ere Village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Two of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Ado-Oko of Ido-Oko ;
- (b) The Loja of Ilashe.

(2) The remaining four traditional members shall be the four persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the four next in turn :—

- | | |
|-----------------------------------|-----------------------------------|
| (i) The Loja of Iponda ; | (viii) The Alowa of Ilowa ; |
| (ii) The Loja of Ibala ; | (ix) The Adominasi of Idominasi ; |
| (iii) The Elesun of Esun ; | (x) The Aregun of Iregun ; |
| (iv) The Loja of Igogo ; | (xi) The Loja of Odoka ; |
| (v) The Loja of Ijaregbe ; | (xii) The Elere of Ere ; |
| (vi) The Atarua of Ijana-Itarua ; | (xiii) The Loja of Iponda ; |
| (vii) The Lisagbe of Isagbe ; | |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Oke-Ode (Ilase) /Ogbon Are (Ilase)	1
2. Ogbon Ikin/Ogbon Orifon (Ilase)	1
3. Ogbon Agbede/Odo-Otu (Ilase)	1
4. Ogbon Ayan/Idi-ose (Ilase)	1
5. Oke-Ode (Idominasi)	1
6. Odo-Ode (Idominasi)	1
7. Oke-Ere (Ere)	1
8. Odo-Ere (Ere)	1
9. Iponda	1
10. Ido-Oko	1
11. Esun	1
12. Idoka-Isagbe	1
13. Ibala	1
14. Iregun	1
15. Ijana-Itarua	1
16. Igogo	1
17. Ijaregbe	1
18. Ilowa	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 10th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 128 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE AIYETORO LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Aiyetoro Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Aiyetoro Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Oshu, Iloba, Iwaro, Longe, Akola, Otagiri, Abepe, Odesomi, Ayorunbo, Eleshu, Odewale, Oniyo, Adepoju, Akowe, Ajibodu, Apena, Aba Peter, Kajola, Ore-Ofero, Itamerin and Olodude village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Three of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Loja of Oshu ;
- (b) The Luwaro of Iwaro ;
- (c) The Aloba of Iloba.

(2) The remaining three traditional members shall be the three persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the three next in turn :—

- | | |
|----------------------------|------------------------------|
| (i) The Risa of Oshu ; | (vi) The Risa of Iwaro ; |
| (ii) The Ejemo of Oshu ; | (vii) The Risa of Iloba ; |
| (iii) The Asolo of Isolo ; | (viii) The Lakola of Akola ; |
| (iv) The Odofin of Oshu ; | (ix) The Bale of Ayorunbo ; |
| (v) The Arapate of Oshu ; | (x) The Risa of Oshu ; |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

Name of Ward	Number of persons to be elected
1. Aguja (Oshu)	1
2. Ahere (Oshu)	1
3. Ilowo (Oshu)	1
4. Elemosho/Imelejo (Oshu)	1
5. Lode (Oshu)	1
6. Risa (Oshu)	1
7. Obanifon/Ajido (Oshu)	1
8. Afon (Oshu)	1
9. Ikobi (Oshu)	1
10. Oke-Oja (Oshu)	1
11. Iwaro/Kajola/Orcofero (Iwaro)	1
12. Akola/Longe (Iwaro)	1
13. Sajuku (Iloba)	1
14. Loyin (Iloba)	1
15. Otagiri/Abepe/Odesomi/Ademole/Kanye (Oyomesi)	1
16. Oniyi/Elega/Ajibodu (Oyomesi)	1
17. Adepoju/Alakowe/Eleshu/Itamerin/Olodude (Oyomesi)	1
18. Ayorunbo/Ababa/Ekarun/Balogun/Odesina/Ogunwale/Lamokun/Abete/Lagere (Oyomesi)	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

Part	Regulations
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 7th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with the paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(+), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 129 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IFELODUN LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ifelodun Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ifelodun Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Odo-Iju, Ileki, Ariku, Saga, Iyemogun, Agbede, Ijana-Washare, Igbadae, Epe, Igun and Akola village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

Six traditional members
Eighteen elected members.

6. The quorum shall be twelve members.

7. The six traditional members shall be the six persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the six next in turn :—

- | | |
|------------------------------------|-------------------------------|
| (i) The Esmo of Iyemogun ; | (vi) The Lakola of Akola ; |
| (ii) The Agbadae of Igbadae ; | (vii) The Loyin of Igun ; |
| (iii) The Akire of Epe ; | (viii) The Olowu of Epe ; and |
| (iv) The Loja of Odo-Iju ; | (ix) The Esmo of Iyemogun ; |
| (v) The Washare of Ijana-Washare ; | |

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ode-Iju	1
2. Ileki	1
3. Iloro (Epe)	1
4. Odo-Epe (Epe)	1
5. Okc-Ovu (Epe)	1
6. Ilaje (Epe)	1
7. Odo-Ode (Igbadae)	1
8. Oke-Ode (Igbadae)	1
9. Oke-Ode (Ijana-Washare)	1
10. Odo-Ode (Ijana-Washare)	1
11. Hausa Quarter (Ijana-Washare)	1
12. Oke-Ode (Igun)	1
13. Odo-Ode (Igun)	1
14. Odo-Ode (Iyemogun)	1
15. Oke-Ode (Iyemogun)	1
16. Akola	1
17. Agbede	1
18. Arikú/Saga	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as 'Type B' in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 14th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) Obligatory Functions

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) Permissive Functions

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 130 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ILUPEJU LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ilupeju Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ilupeju Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Amuye, Ehin-Oke, Olowu, Ajebandele, Atorin, Agogo, Erinburo and Olorisa village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Four of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Alamuye of Amuye ;
- (b) The Loyin of Atorin ;
- (c) The Loja of Erinburo ;
- (d) The Loyin of Olorinisa.

(2) The remaining two traditional members shall be the two persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the two next in turn :—

- (i) The Bale of Ogogo ;
- (ii) The Risa of Amuye ;
- (iii) The Risa of Atorin ;
- (iv) The Risa of Erinburo ;
- (v) The Risa of Olorisa ;
- (vi) The Ejemo of Amuye ;
- (vii) The Saba of Amuye ;
- (viii) The Otun-Bale of Ogogo ;
- (ix) The Bale of Ogogo ;

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Faforiji (Upper Amuye)	1
2. Oke-Ode (Upper Amuye)	1
3. Oyebode (Lower Amuye)	1
4. Adedeji (Lower Amuye)	1
6. Dada's Village (Ehin Oke)	1
6. Caleb's Village (Ehin Oke)	1
7. Ajebandele	1
8. Oke Ode (Atorin)	1
9. Odo Ode (Atorin)	1
10. Baba Egbe (Atorin)	1
11. Lapaede (Atorin)	1
12. Upper Ogogo	1
13. Lower Ogogo	1
14. Likure (Erinburo)	1
15. Odo Ode (Erinburo)	1
16. Agbi's Village (Oloworu)	1
17. Ilerin's Village (Oloworu)	1
18. Olorisa	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 : 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 17th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.
MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,

Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76) (79).

W.R.L.N. 131 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE ITAGUNMODI LOCAL COUNCIL.

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Itagunmodi Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The Common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Itagunmodi Local Council" may be used until such time as seal be procured.

3. The area of the authority of the Council shall be the Itagunmodi, Oko-Salotun, Oko Risa-Ijoka, Oko Ogboni, Akoko Matthew, Araromi, Arigbabu, Okutu-Omo, Osokogbe, Amuta, Alaba, Ariyelepe, Arowa, Owena, Itagbon, Agun, Bamijogbin, Agbao, Oke-Ipa, Erinje, Aye, Imosan, Gadda-Eriperi and Imuo village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :
Six traditional members
Eighteen elected members.

6. The quorum shall be twelve.

7. (1) Three of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Loyin of Itagunmodi ;
- (b) The Loja of Alaba ;
- (c) The Bale of Araromi.

(2) The remaining three traditional members shall be the three persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the three next in turn :—

- | | |
|------------------------------|--------------------------------|
| (i) The Oba of Ariyelepe ; | (vi) The Bale of Okutu-Omo ; |
| (ii) The Oba of Arowa ; | (vii) The Loyin of Amuta ; |
| (iii) The Loyin of Oke-Ipa ; | (viii) The Bale of Ita-Agbon ; |
| (iv) The Odofin of Alaba ; | (ix) The Balogun of Arigbabu ; |
| (v) The Loyin of Agbao ; | (x) The Oba of Ariyelepe ; |

and so in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Oke-Ode	Itagunmodi	1
2. Agunmodi	Itagunmodi	1
3. Imosan	Itagunmodi	1
4. Oke-Salotun/Risa-Ijoka	Itagunmodi	1
5. Oke-Ogboni/Akoko Matthew	Itagunmodi	1
6. Oke-Are	Araromi	1
7. Oke-Ode	Araromi	1
8. Okutomo Araromi	Araromi	1
9. Arigbabu	Araromi	1
10. Amuta/Osokogbe	Araromi	1
11. Alaba/Arowa	Alaba	1
12. Alaba	Alaba	1
13. Ariyelepe/Agun	Alaba	1
14. Owena	Alaba	1
15. Banjogbin/Itagbon	Alaba	1
16. Agbae/Imosan	Agbao	1
17. Okcipa/Erinje/Imoo	Agbao	1
18. Aye/Gada Eriperi	Agbao	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 14th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL.

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 132 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ISAABI LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Isaobi Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Isaobi Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Isaobi, Inisa, Ishotun, Oke-Inashin, Odo and Ijana village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of sixteen members, namely :

Four traditional members

Twelve elected members.

6. The quorum shall be eight members.

7. (1) Three of the four traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

(a) The Asaobi of Isaobi ;

(b) The Akinsin of Inisa ;

(c) The Asotun of Ishotun.

(2) The fourth traditional member, who shall retire after one year, shall be the Orisa of Isaobi, the Ejemo of Isaobi, the Odofin of Isaobi, the Odofin of Oke-Inashin, the Oba of Odo, the Ejemo of Inisa, the Odofin of Ishotun or the Loja of Ijana in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twelve elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Ode-Ile Asaobi	Isaobi	1
2. Oke-Adede	Isaobi	1
3. Ogbon Agbede	Isaobi	1
4. Ita-Igbodo	Isaobi	1
5. Ijana	Ijana	1
6. Odo	Odo	1
7. Oke-Inisha	Inisha	1
8. Ode-Orudi	Inisha	1
9. Imoro	Inisha	1
10. Oke-Inashin	Oke-Inashin	1
11. Iloro	Isotun	1
12. Ogbon Okun	Isotun	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 21st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law :

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;

(b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain :

(c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area :

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

(a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers :

(b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 133 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IBODI LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ibodi Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ibodi Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Ibodi, Igila, Isua, Iyere, Ile-Oko, Eisun and Aye village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of sixteen members, namely :

Four traditional members

Twelve elected members.

6. The quorum shall be eight members.

7. (1) Three of the four traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following title :—

(a) The Oloja of Ibodi ;

(b) The Loyin of Igila ;

(c) The Loyin of Iyere.

(2) The fourth traditional member, who shall retire after one year, shall be the Onisua of Isua, the Elemeji of Eisun or the Loyin of Ile-Oko in annual rotation in that order.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twelve elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Eyindi (Ibodi)	1
2. Lamposo (Ibodi)	1
3. Irewo (Ibodi)	1
4. Odo-Oja (Ibodi)	1
5. Aganun (Ibodi)	1
6. Odo-Ode (from Mr Adegbiyin's house to Methodist Church House) (Iyere)	1
7. Oke-Ode (from Matthew's house to Oyedele's house) (Iyere) ..	1
8. Igila	1
9. Ile-Oko	1
10. Isua	1
11. Eisun	1
12. Aye	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 21st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument, MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council:—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE JESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law:—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE JESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law:—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 134 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE AIYEPEJU LOCAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Aiyepaju Local Council (hereinafter called "the Council") shall be established upon the 12th day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Aiyepeju Local Council" may be used until such time as a seal be procured.

3. The area of the Authority of the Council shall be the Ijeda, Iloko, Erinmo, Iwaraja, Ijimo and Oke-Ana village areas.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

- Six traditional members
- Eighteen elected members.

6. The quorum shall be twelve members.

7. (1) Four of the six traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—

- (a) The Loja of Ijeda :
- (b) The Elerinmo of Erinmo :
- (c) The Awaraja of Iwaraja :
- (d) The Aloko of Iloko.

(2) The remaining two traditional members shall be the two persons holding the titles set out in the list following in the order appearing therein and shall retire after one year and shall be succeeded by the two next in turn :—

- (i) The Loja of Ijimo :
- (ii) The Alana of Oke-Ana :
- (iii) The Inaborun of Iloko :
- (iv) The Obarisa of Ijeda :
- (v) The Odofin of Iwaraja :
- (vi) The Risa Elerinmo of Erinmo :
- (vii) The Loja of Ijimo :

and so on in the same order as above.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Odo-Ijeda (from Risa's house to Odofin's) (Ijeda)	1
2. Oke-Ijeda (from Risa Arakin's house to Odofin's) (Ijeda)	1
3. Oke Ijioni (from Odofin's house to Saba's) (Ijeda)	1
4. Omo-Owa (from Odofin's house to Ejemu's) (Ijeda)	1
5. Odo-Igbogbo (from Oyefin's house to Saba's) (Ijeda)	1
6. Araromi and Iya (Erinmo)	1
7. Oke Ode, Itapa and Okoromaja (Erinmo)	1
8. Odo-Oja and Imayan (Erinmo)	1
9. Iwoyekun (Erinmo)	1
10. Idimi (Erinmo)	1
11. Igbajo Oke and Igbajo Odo (Erinmo)	1
12. Iloko A—Iloro Street	1
13. Iloko B—Ogbotitun Street	1
14. Iloko C—Araromi Street	1
15. Odo Oshun (from Baba Egbe's to Odofin's) (Iwaraja)	1
16. Oke Ode (from Ibronke's house to Awaraja's) (Iwaraja)	1
17. Oke Ana	1
18. Ijimo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 4th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 12th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date, on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument. MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE IJESHA DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule obliged to maintain ;
- (b) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged to maintain ;
- (c) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(4), (9), (12), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (38), (39), (41), (42), (43), (44), (45), (48), (50), (51), (52), (53), (54), (55), (59), (61), (62), (63), (67), (70), (71), (77), (78), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE IJESHA DIVISIONAL COUNCIL

The Council may—

- (a) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute or infirm or for orphans or asylums and settlements for lepers ;
- (b) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
(6), (17), (22), (23), (25), (27), (29), (36), (40), (41), (46), (49), (64), (65), (66), (69), (73), (74), (76), (79).

W.R.L.N. 135 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE IDANRE DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Idanre District Council (hereinafter called "the Council") shall be established upon the 21st day of March, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Idanre District Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be Idanre District.
4. The President of the Council shall be the Owa of Idanre, and a Chairman shall be elected in accordance with the provisions of paragraph 14 of this Instrument.
5. The Council shall consist of forty-one members, namely :
- The President
 - Ten traditional members
 - Thirty elected members.
6. The quorum shall be fourteen members.
7. The ten traditional members shall continue to hold office and shall not retire with the elected members and shall be the persons for the time being holding the following titles :—
- | | |
|---------------------------|-------------------------|
| The Lisa of Idanre ; | The Ojomu of Idanre ; |
| The Sama of Idanre ; | The Lobu of Idanre ; |
| The Osolo of Idanre ; | The Osinle of Idanre ; |
| The Kogunowo of Idanre ; | The Lemikan of Idanre ; |
| The Egbediowu of Idanre ; | The Adaja of Idanre. |
8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.
9. Each of the thirty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Isalu : Oke Idanre	1
2. Isalu : Lisa	1
3. Isalu : Osore	1
4. Isalu : Ehinpeti I	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
5. Isalu : Ehinpeti II	1
6. Isalu : Jigboken	1
7. Isalu : Obatuwase	1
8. Isalu : Obapaiye	1
9. Isalu : Lewe	1
10. Idale : Logbosere	1
11. Idale : Lemikan	1
12. Idale : Lijoka	1
13. Idale : Vicarage	1
14. Idale : Obatuwase : Co-operative	1
15. Idale : Oke Odunwo	1
16. Irowo : Sasere	1
17. Irowo : Oshinle	1
18. Itogun : Adaja	1
19. Itogun : Igbatoyo	1
20. Okedo : Manare	1
21. Okedo : Beimuwa	1
22. Odeja : Aruwajoye	1
23. Odeja : Egbediowu	1
24. Isunrin	1
25. Ijomu	1
26. Opa-Ajagbale	1
27. Odole-Aweba	1
28. Onishere I	1
29. Onishere II	1
30. Alade-Okerisha	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 : 62-91
VI	109-121
VII	122-126

That is to say the method of elections shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 1st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 28th day of March, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument,

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,

Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law;

(c) maintain, repair and equip, and engage and pay adequate staff for all Native Courts in the Idanre District and pay to the duly appointed members of such Native Courts such sitting fees as the Local Government Inspector, in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve;

(d) ensure that all fines, fees, forfeitures and penalties in respect of, or as a result of, proceedings in such Native Courts are paid to the general revenue of the Council;

(e) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph (i) (e) above or which the Central or Regional Government maintains;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law;

(g) perform all or any of the functions contained in the other paragraphs of section 71 of the Law.

W.R.L.N. 136 of 1954*The Direct Taxation Ordinance (Cap. 54)*

Notice is hereby given that in exercise of the powers conferred upon the Governor by section 15 (4) of the Direct Taxation Ordinance, which powers have been delegated to Lieutenant-Governors, the undermentioned employers of labour have been appointed Tax Collectors, for the area of the Benin administrative Division, in respect of all persons who are or shall at any time be in the employment of the aforementioned employers :—

1. Messrs Mandilas and Karaberis.
2. Messrs S. Thomopoulos.
3. The United Africa Company Ltd.
4. The Manager, Salvation Army Schools.
5. The Manager, Benin Baptist Schools.
6. The Manager, American Baptist Schools.
7. The Manager, United Native African Schools.
8. The Revd. Father in charge of Roman Catholic Mission.
9. Rev. Asakun, the Anglican Mission.
10. The African Timber and Plywood Company Ltd., Sapoba.
11. The British West African Timber Company, Iguoriaki.
12. The African Timber and Plywood Company Ltd., Nikrowa.
13. The Nigerian Hardwood Company Ltd., Obiaruku.
14. The Secretary, Isiuwa Welfare Committee, West African Institute for Oil Palm Research.
15. The Benin Divisional Native Authority.
16. West Africa Airway Corporation, Benin City.
17. Senior Agricultural Assistant, Ogba Farm, Department of Agriculture, Benin.
18. The Manager, The United Africa Company (Motor Department), Benin City.

GIVEN this 20th day of September, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

20968

W.R.L.N. 137 of 1954*The Direct Taxation Ordinance (Cap. 54)*

Notice is hereby given that in exercise of the powers conferred upon the Governor by section 15 (4) of the Direct Taxation Ordinance, which powers have been delegated to Lieutenant-Governors, the undermentioned employers of labour have been appointed Tax Collectors, for the area set forth opposite their respective names, in respect of all persons who are or shall at any time be in the employment of the aforementioned employers.

<i>Employer</i>	<i>Area</i>
1. Finch & Co. (West Africa) Ltd.	Ute-Okeleuse
2. The Manager, J. Asaporo & Company	Ikaro

GIVEN this 20th day of September, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

20968

W.R.L.N. 138 of 1954

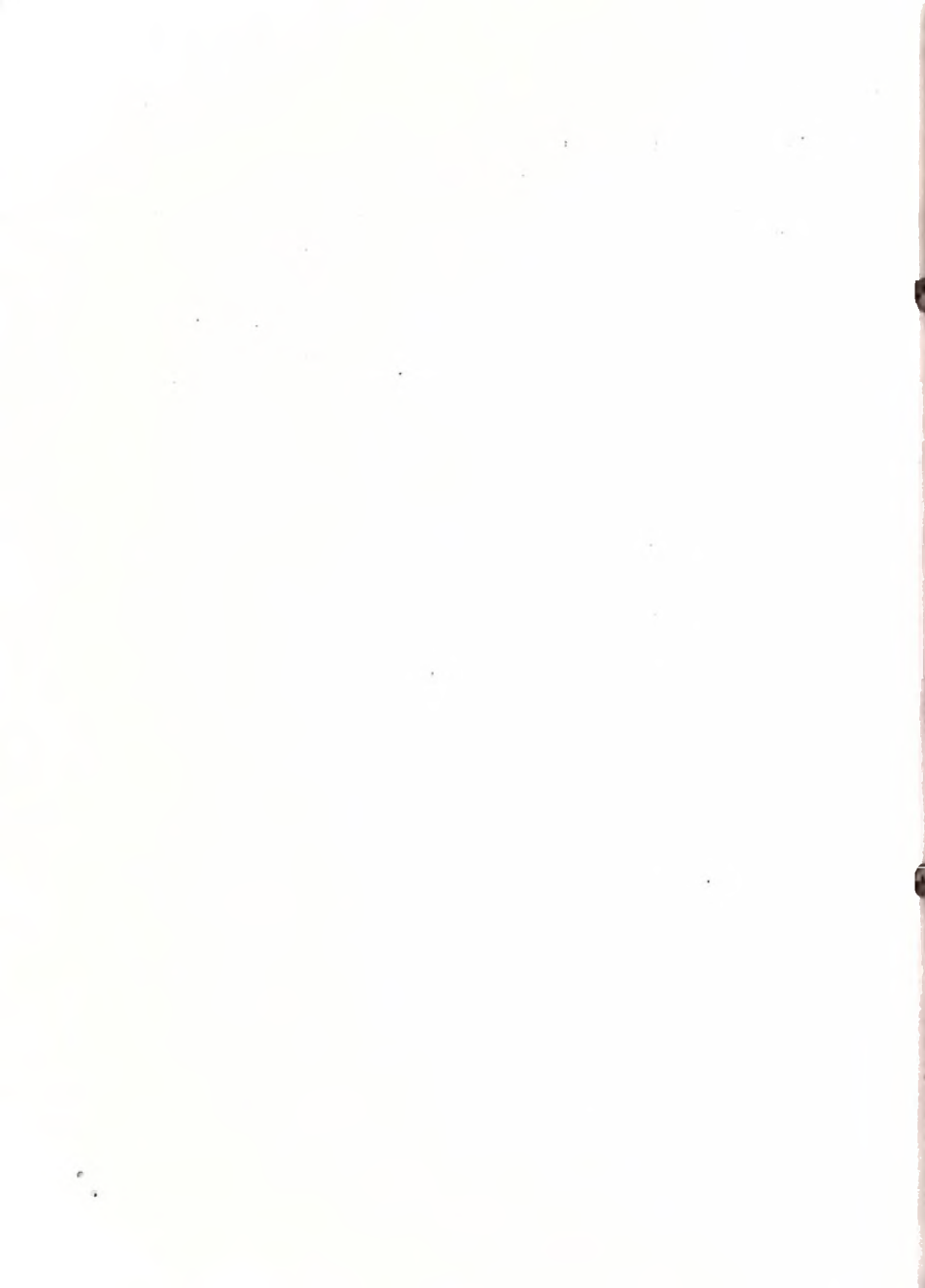
The Western Region Agricultural Law, 1953 (No. 3 of 1954)

It is hereby notified for public information that the Officer Administering the Government, Western Region, has appointed the 1st day of October, 1954, as the date upon which the Western Regional Agricultural Law, 1953 (No. 3 of 1954), shall come into operation.

By His Honour's Command.

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

Ibadan, 21st September, 1954.



W.R.L.N. 139 of 1954

The Nigeria (Constitution) Order in Council, 1954

COLONY PROVINCE

In exercise of the powers conferred upon him by paragraph (b) of sub-section (2) of section 4 of the Nigeria (Constitution) Order in Council, 1954. His Excellency the Officer Administering the Government has been pleased to direct as follows :—

1. That part of the Colony comprised in the Western Region by virtue of paragraph (b) of sub-section 2 of section 3 and the Second Schedule of the Nigeria (Constitution) Order in Council, 1954, shall, for administrative and other purposes, constitute a province to be known as the Colony Province.

2. The Colony Province shall comprise and be divided into three administrative divisions, to be known as the Badagry Division, the Epe Division, and the Ikeja Division, the boundaries of which shall be those described in the First, Second and Third Schedules hereto respectively.

3. These directions shall be deemed to have come into force on the 1st day of October, 1954.

By His Excellency's Command.

W. M. MILLIKEN,

Acting Secretary to the Government

Ibadan, 1st October, 1954.

THE FIRST SCHEDULE

BOUNDARIES OF BADAGRY DIVISION

North.—Commencing at a point on the Colony boundary situate at the mouth of Ajara River; thence following the Colony boundary in a general easterly direction to a point at a confluence of the stream which flows through the village of Iba, and the River Owo; thence in a general south-easterly direction to a point approximately one mile west of Amuwo village; thence in a general north-easterly direction to a point approximately 400 yards east of the village of Oko Ajija.

East.—Thence in a general southerly direction to a point on the northern shore of the Lagoon approximately one mile east of the village of Ihunjawgbe; thence in a general south-easterly direction to the village of Abekun; thence in a general southerly direction to the shore of the Bight of Benin.

South.—Thence following the Colony boundary in a westerly direction along the shore of the Bight of Benin until it meets the French frontier at Dahomey.

West.—Thence in a general northerly direction along the Colony boundary to the mouth of Ajara River, the point of commencement.

THE SECOND SCHEDULE

BOUNDARIES OF EPE DIVISION

North.—Commencing at a point on the Colony boundary approximately one mile west of the River Berre; thence following the Colony boundary in a general easterly direction until it meets the left bank of Oshun River.

East.—Thence following the Colony boundary in a general southerly direction to the shore of the Bight of Benin.

South.—Thence following the Colony boundary in a westerly direction along the shore of the Bight of Benin to a point on the coast half a mile west of Mopo Ijebu village.

West.—Thence in a general north-easterly direction till it reaches the southern bank of the Omu Creek at a point approximately 1,500 yards south of Oko Abe village; thence following the southerly bank of Omu Creek in a general westerly direction to the entrance to Omu Creek at a point approximately 1,000 yards east of the village of Badore; thence in a general north-easterly direction across Lagos Lagoon to a point on the northern shore of Lagos Lagoon, approximately half a mile west of Ipanmi village; thence in a general northerly direction to the point of commencement.

THE THIRD SCHEDULE

BOUNDARIES OF IKEJA DIVISION

North.—Commencing at a point on the Colony boundary situate on the main Lagos-Abeokuta Road approximately 2 miles east of Otta; thence following the Colony boundary in a general easterly direction until it meets the Epe Division boundary at a point approximately 1 mile west of the River Berre.

East.—Thence in a general southerly direction to a point of the northern shore of the Lagos Lagoon, approximately half a mile west of Ipanmi village; thence in a general southerly direction to a point on the southern shore of the Lagos Lagoon approximately 1,000 yards east of the village of Badore; thence following the southern bank of Omu Creek to a point approximately 1,300 yards south of the village of Oko Abe; thence in a general south-westerly direction to a point on the shore of the Bight of Benin approximately half a mile west of Mopo Ijebu village.

South.—Thence along the Colony boundary along the shore of the Bight of Benin to a point on the Lagos Township boundary, approximately 400 yards south-west from the village of Songo Jimi; thence in a general northerly direction to the southern bank of Five Cowrie Creek; thence in a general north-easterly direction to a point on the Lagos Lagoon approximately three-quarters of a mile north of the village of Mobba; thence in a general northerly direction to the mouth of the Akoko Creek; thence in a general south-westerly direction along the western shores of the Lagos Lagoon to a point on the Lagos Township boundary approximately three-quarters of a mile east of the village of Somolu; thence in a general westerly direction along the northern boundary of the Lagos Township boundary to a point approximately 200 yards west of the village of Akinwunmi; thence in a general southerly direction to meet the Badagry Division boundary at a point approximately 400 yards east of the village of Oko Ajiya; thence in a general south-westerly direction along the northern boundary of Badagry Division to a point one mile west of Amuwo village.

West.—Thence in a general north-westerly direction to a point at the confluence of the stream flowing through the village of Iba and the Owo River; thence in a general north-easterly direction following the Colony boundary to a point on Lagos-Abcokuta Road approximately 2 miles east of Otta, the point of commencement.

W.R.L.N. 140 of 1954

REGULATIONS made under THE NIGERIA (ELECTORAL PROVISIONS) ORDER IN COUNCIL, 1951

In exercise of the powers conferred upon the Governor by section 4 of the Nigeria (Electoral Provisions) Order in Council, 1951, and by sections 1 (2) (a) (ii) and 37 of the Nigeria (Constitution) Order in Council, 1954, the following Regulations are hereby made :—

1. These Regulations may be cited as the Western House of Assembly (Elected Members) (Amendment) Electoral Regulations, 1954, and shall come into force on the 30th day of September, 1954. Citation and commencement.

2. The First Schedule to the Western House of Assembly (Elected Members) Electoral Regulations, 1951, is hereby amended :— Amendment of First Schedule of Regulations No. 45 of 1951.

(a) by deleting the words and numeral "The Town of Lagos 5" where they occur ; and

(b) by deleting the numerals "7", "6" and "2" where they occur in the column entitled "Number of Seats in House of Assembly" opposite the words "Oshun Division", "Ibadan Division" and "Ondo Division" respectively, and substituting therefore the numerals "9", "8" and "3" in each case.

MADE at Ibadan this 29th day of September, 1954.

By His Honour's Command,

W. M. MILLIKEN,
Acting Civil Secretary, Western Region

29399



W.R.L.N. 150 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE AKOKO DIVISIONAL COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Divisional Council entitled the Akoko Divisional Council (hereinafter called "the Council") shall be established upon the 30th day of March, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Akoko Divisional Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the Akoko area, namely, the area within the jurisdiction of those Councils listed in paragraph 8 hereunder.

4. The President of the Council shall be one of the following persons in annual rotation according to the following order :—

- | | |
|----------------------------|---------------------------|
| (a) The Olukare of Ikare : | (e) The Owa of Ogbagi ; |
| (b) The Olomuo of Omuo ; | (f) The Onirun of Irun : |
| (c) The Zaki of Arigidi : | (g) The Akala of Ikeram ; |
| (d) The Olishua of Isua : | |

and a Chairman shall be elected in accordance with paragraph 12 of this Instrument.

5. The Council shall consist of sixty-nine members, namely :

- The President
- Seventeen traditional members
- Fifty-one elected members.

6. The quorum shall be twenty-eight members.

7. The seventeen traditional members shall be the persons for the time being holding the following titles :—

- | | |
|-----------------------------|------------------------|
| The Olukare of Ikare : | The Ajana of Afa : |
| The Olomuo of Omuo ; | The Olukpe of Ukpe : |
| The Zaki of Arigidi : | The Oloba of Oba : |
| The Owa of Ogbagi ; | The Olifira of Ifira : |
| The Olishua of Ishua ; | The Oluwade of Akunú ; |
| The Alale of Akungba : | The Osunla of Erushu : |
| The Onirun of Irun : | The Oloja of Ojo : |
| The Olushupare of Shupare : | The Egbiri of Ekpeme : |
| The Akala of Ikeram : | The Ale of Ikare. |

Provided that the person for the time being holding the office of President of the Council shall not at the same time be a traditional member of the Council.

8. The forty-nine elected members of the Council shall be elected by and from amongst the members, both elected and traditional, of the following District or Local Councils in accordance with the table following :

Provided that a District or Local Council may elect a person who is not one of its members to be a member of the Divisional Council if :—

(a) such person has not been defeated as a candidate for election to the District or Local Council at the most recent general election to that Council ; and

(b) he possesses the qualifications required for membership of that particular District or Local Council.

<i>Name of District or Local Council</i>	<i>Number of persons to be elected</i>
Ikare District Council	10
Omuo Local Council	4
Arigidi Local Council	3
Ogbagi Local Council	3
Irun Local Council	2
Ishua Local Council	3
Ikeram Local Council	2
Ukpe-Ekpeme Local Council	3
Ilelabo Local Council	2
Ikamerin Local Council	6
Ilumejo Local Council	5
Isowopo Local Council	3
Ajowa Local Council	5

9. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of elected members :—

Parts I, II, V, VI, VII.

10. The first elections to the Council shall be held on the 26th day of March, 1955, and the first meeting of the Council shall be held on the 30th day of March, 1955.

11. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

12. Subject to the provisions of section 29 of the Law, the Chairman of the Council shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

13. The functions of the Council shall be as set out in the Schedule to this Instrument :

Provided that

(i) in any matter in which the Divisional Council and a District or Local Council are, or hereafter shall be, empowered to exercise concurrent functions, the Divisional Council shall not make any bye-law inconsistent with any provisions of a bye-law made by a District or Local Council and to which the District or Local Council objects, without the approval of the Minister for Local Government ;

(ii) in any matter in which the Divisional Council and a District or Local Council are exercising concurrent functions for which provision is not made by bye-laws and there is a conflict in the exercise of such functions to which a District or Local Council objects, such functions shall not be exercised by the Divisional Council without the approval of the Minister for Local Government.

MADP by the Regional Authority this 28th day of September, 1954.

S. J. HENRY.

Clerk to the Executive Council

AKOKO DIVISIONAL COUNCIL SCHEDULE

In addition to those functions conferred upon Divisional Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF ANY OTHER COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) maintain, repair and equip all Native Courts within the area of its jurisdiction, engage and pay adequate staff for such courts, and pay to the duly appointed members of such courts such sitting fees as the Local Government Inspector in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve :

(b) ensure that all fines, fees, forfeitures and penalties in respect of or as a result of, proceedings in all Native Courts within the area of its jurisdiction are paid to the general revenue of the Council :

(c) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council :

(d) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law :

(e) perform all the functions contained in paragraph (34) of section 71 of the Law.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain :

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any roads, streets, street-drains, culverts or bridges which the Council is under paragraph A (i) (c) of this Schedule obliged to maintain ;

(c) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law :

(d) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(1), (2), (3), (5), (7), (8), (11), (12), (21), (24), (26), (30), (35), (37), (47), (47a), (50), (55), (56), (57), (68), (72), (75), (80).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE DISTRICT OR LOCAL COUNCILS IN ITS AREA

The Council may—

perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 151 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IKERAM LOCAL COUNCIL

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ikeram Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ikeram Local Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the area traditionally associated with the town of Ikeram and the village of Iyani, and which at the date of coming into force of this Instrument, are subject to the jurisdiction of the Akala of Ikeram and the Oliyani of Iyani respectively.

4. The President of the Council shall be the Akala of Ikeram, and a Chairman shall be elected in accordance with provisions of paragraph 14 of this Instrument.

5. The Council shall consist of twenty-four members, namely :

The President
Five traditional members
Eighteen elected members.

6. The quorum shall be eight members.

7. The five traditional members shall be the persons for the time being holding the following titles :—

Chief Ajidagba :	Chief Ajagbusi :
Chief Elenta :	Chief Arogunyo.
Chief Oluyani :	

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the eighteen elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ita Balogun	1
2. Oshugu	1
3. Esho	1
4. Ogbonmo	1
5. Iyotu I	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
6. Iyotu II	1
7. Iyotu III	1
8. Iyotu IV	1
9. Iyotu V	1
10. Iyotu VI	1
11. Iyotu VII	1
12. Oyagi	1
13. Okrasa	1
14. Ekinato	1
15. Olomi	1
16. Ogbontitun	1
17. Iyani I	1
18. Iyani II	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

**IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS
IN THE AKOKO DISTRICT**

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

**A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE
AKOKO DIVISIONAL COUNCIL**

(i) Obligatory Functions

The Council shall—

- (a) comply with the provisions of section 70 of the Law ;
- (b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) Permissive Functions

The Council may—

- (a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;
- (b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;
- (c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water-course not in existence at the date of this Instrument and alter, divert and maintain the same ;
- (d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;
- (e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;
- (f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;
- (g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
- (4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

**B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH THE
AKOKO DIVISIONAL COUNCIL**

The Council may—

- (a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—
- (6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 152 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ISHUA LOCAL COUNCIL.

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ishua Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Ishua Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area traditionally associated with Ishua Town, and which at the date of coming into force of this Instrument, is subject to the jurisdiction of the Olishua of Ishua.

4. The President of the Council shall be the Olishua of Ishua, and a Chairman shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of thirty-six members, namely :

'The President

'Eight traditional members

'Twenty-seven elected members.

6. The quorum shall be twelve members.

7. The eight traditional members shall be the persons for the time being holding the following titles :—

Chief Odu ;

Chief Oliyara

Chief Olisa

Chief Oshere

Chief Obanle

Chief Odofin

Chief Olofin

Chief Oluse

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twenty-seven elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Iminove	1
2. Odokunnu	1
3. Agbede	1
4. Osumu	1
5. Odi	1
6. Eberi	1
7. Agbasi	1
8. Udo	1
9. Uloo	1
10. Ahinrin	1
11. Osinni-Oso	1
12. Osinni-Okunnu	1
13. Itaze-Okunnozi	1
14. Osami	1
15. Izo-Oso	1
16. Orucepe	1
17. Oduzu	1
18. Odokunu-Oso	1
19. Odezeru	1
20. Ofokua	1
21. Ahari	1
22. Ukpala	1
23. Ikoro-Okunu	1
24. Eseoso-Ekunrekue	1
25. Odeidi-Odagidi	1
26. Okureva	1
27. Ulemo-Isalu	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

- * That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water-course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

**B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE AKOKO DIVISIONAL COUNCIL.**

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 153 of 1954*The Western Region Local Government Law, 1952
(No. 1 of 1953)***INSTRUMENT ESTABLISHING THE OGBAGI LOCAL COUNCIL**

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ogbagi Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Ogbagi Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area traditionally associated with Ogbagi Town, and which at the date of coming into force of this Instrument, is subject to the jurisdiction of the Owa of Ogbagi.

4. The President of the Council shall be the Owa of Ogbagi, and a Chairman shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of thirty-one members, namely :

- The President
- Six traditional members
- Twenty-four elected members.

6. The quorum shall be eleven members.

7. The six traditional members shall be the persons for the time being holding the following titles :—

- | | |
|-------------------------|--------------------------------|
| Chief Arua of Oe ; | Chief Alabilogbo of Abilogbo ; |
| Chief Aribio of Egako ; | Chief Odogun of Molepe ; |
| Chief Olofe of Ofc ; | Chief Odu of Iso ; |

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twenty-four elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Atin	1
2. Aribo	1
3. Obaisaya	1
4. Ojumu	1
5. Egoto	1
6. Egikun	1
7. Arua	1
8. Olisa	1
9. Ejoro	1
10. Odemole	1
11. Okeria	1
12. Odoria	1
13. Abilogbo	1
14. Iwore	1
15. Okeoja	1
16. Inolere	1
17. Eko	1
18. Okedowa	1
19. Ododowa	1
20. Apa	1
21. Okcabo and Igbon	1
22. Elegun	1
23. Oshukoti	1
24. Iwara	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31, 62-91
VI	109-121
VII	122-126.

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall :—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water-course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE AKOKO DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 154 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IRUN LOCAL COUNCIL.

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Irun Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Irun Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the area traditionally associated with Irun Town, and which at the date of coming into force of this Instrument, is subject to the jurisdiction of the Onirun of Irun.

4. The President of the Council shall be the Onirun of Irun, and a Chairman shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of thirty-two members, namely :

The President
Seven traditional members
Twenty-four elected members.

6. The quorum shall be eleven members.

7. The seven traditional members shall be the persons for the time being holding the following titles :—

Chief Elejemo	Chief Eli
Chief Alaka	Chief Olisa
Chief Olodi	Chief Arcje
Chief Elea	

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters, for the wards set out in paragraph 9 of this Instrument.

9. Each of the twenty-four elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Okcalu	1
2. Odoaofin	1
3. Uremo	1
4. Ipatare	1
5. Okearede	1
6. Ilesa and Abilogbo	1
7. Okcana	1
8. Okeare and Odoewi	1
9. Ode-Atan	1
10. Ode-Ogo	1
11. Okearo	1
12. Ogo-Aiyeteju	1
13. Ilea	1
14. Maleji	1
15. Ijebi	1
16. Ufinmi	1
17. Oke-Igbo and Odoero	1
18. Ode-Asamo and Odo-Elesi	1
19. Ebi Omoloyi	1
20. Okeasaiye and Abepe	1
21. Idao	1
22. Oke-Egbe and Odeogun	1
23. Ibia and Ipore	1
24. Aofin-Elesan	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulation</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall:—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water-course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY
WITH THE AKOKO DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 155 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE UKPE-EKPEME LOCAL COUNCIL.

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ukpe-Ekpeme Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Ukpe-Ekpeme Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the areas traditionally associated with Ukpe and Ekpeme, and which at the date of coming into force of this Instrument, are subject to the jurisdiction of the Olukpe of Ukpe and the Egberi of Ekpeme respectively.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of thirty members, namely :

Seven traditional members

Twenty-three elected members.

6. The quorum shall be ten members.

7. The seven traditional members shall be the persons for the time being holding the following titles :—

The Olukpe of Ukpe ;

Chief Daudu of Ukpe ;

Chief Ikowa of Ukpe ;

Chief Oyecusi of Ukpe ;

The Igberi of Ekpeme ;

Chief Olishewu of Ekpeme ;

Chief Maliki of Ekpeme.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twenty-three elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to be elected</i>
1. Uleone	Ukpe	1
2. Uleoko	Ukpe	1
3. Odeopo	Ukpe	1
4. Odekonde	Ukpe	1
5. Odogaga	Ukpe	1
6. Umianigoro	Ukpe	1
7. Ugbe	Ukpe	1
8. Itoto	Ukpe	1
9. Isinudo	Ukpe	1
10. Ogudu	Ukpe	1
11. Osescu-Ubiadide	Ukpe	1
12. Upasite	Ukpe	1
13. Utore	Ukpe	1
14. Uleaken-Utakana	Ukpe	1
15. Arogbesin	Ekpeme	1
16. Ajagbusi	Ekpeme	1
17. Ilupa	Ekpeme	1
18. Parigede	Ekpeme	1
19. Oroso	Ekpeme	1
20. Erewa	Ekpeme	1
21. Igcede	Ekpeme	1
22. Emuren	Ekpeme	1
23. Ebunrun	Ekpeme	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91.
VI	109-121
VII	122-126.

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL

(i) *Obligatory Functions*

The Council shall :—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71, of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

**B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE AKOKO DIVISIONAL COUNCIL.**

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 156 of 1954

The Western Region Local Government Law, 1952

(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE ILELABO LOCAL COUNCIL.

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ilelabo Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :—



Provided that a rubber stamp bearing the words "Ilelabo Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the areas traditionally associated with Ifira, Ipesi and Shosan, and which at the date of coming into force of this Instrument, are subject to the jurisdiction of the Olifira of Ifira, the Olupesi of Ipesi and the Olishosan of Shosan respectively.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of thirty-six members, namely :

Nine traditional members

Twenty-seven elected members.

6. The quorum shall be twelve members.

7. The nine traditional members shall be the persons for the time being holding the following titles :—

The Onifira of Ifira ;

Chief Onifira of Ifira-Oke

Chief Onifira of Ifira-Odo

Chief Onishowo of Ishowo

The Olikpesi of Ikpesi

Chief Ojomu of Ikpesi

Chief Bale of Ikpesi

The Olishosan of Shosan

Chief Lemamu of Shosan

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the twenty-seven elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ayande-Odo	1
2. Ayande-Oke	1
3. Etaobara	1
4. Geleke-Okeran-Pon-Adoli	1
5. Efon	1
6. Ise	1
7. Odoremo	1
8. Idumo	1
9. Isowo-Odo	1
10. Ekimeta	1
11. Itukura	1
12. Odoro	1
13. Irawo-Oderu	1
14. Uropa	1
15. Iyeyu-Idorin and Imogba	1
16. Odogboroko and Okedofisi	1
17. Iledofin-Ijado and Odeji-Ulaza	1
18. Odeoke-Ijadin and Ikura-Iyara	1
19. Idofin	1
20. Isalu	1
21. Okedirigan-Itomoye, Itanloro	1
22. Iposia and Uka	1
23. Ilegbe-Odeayin and Odeleno	1
24. Igbezu-Ipetun and Odowa	1
25. Igberozu-Oja and Iroromi	1
26. Ilisa and Ogun	1
27. Opara and Ese	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water-course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE AKOKO DIVISIONAL COUNCIL.

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 157 of 1954

The Western Region Local Government Law, 1952
(No. 1 of 1953)

INSTRUMENT ESTABLISHING THE IKAMERIN LOCAL COUNCIL.

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Regional Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ikamerin Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ikamerin Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the areas traditionally associated with Akungba, Shupare, Oba and Ikun, and which at the date of coming into force of this Instrument, are subject to the jurisdiction of the Alale of Akungba, the Olushupare of Shupare, the Oloba of Oba and the Olikun of Ikun respectively.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of forty members, namely :

Ten traditional members
Thirty elected members.

6. The quorum shall be fourteen members.

7. The ten traditional members shall be the persons for the time being holding the following titles :—

The Alale of Akungba ;	Chief Alare of Shupare ;
Chief Alakun of Akungba	Chief Ogbedo of Shupare ;
Chief Asalu of Akungba ;	The Oloba of Oba ;
Chief Olori of Akungba ;	Chief Asoba of Oba ;
The Olushupare of Shupare ;	The Olikun of Ikun.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Abena-Osoko	1
2. Japhet-Adedoyin-Michael Mise	1
3. Okemaye-Josiah Abejide	1
4. Daniel Ehinwala-Enock Ajimo	1
5. Akubojo-Agbi	1
6. Joshua Gbodope-Iwasokun	1
7. Falarin-Amadu	1
8. Samuel Ajo-Orisamayi	1
9. J. Aiyegbe-T. Osoja	1
10. Akuni... ..	1
11. Theo Oloruntuyi-Akintuyi	1
12. Isaac Ogunware-Simeon	1
13. Afa	1
14. Ebemewa	1
15. Ilisa	1
16. Okeogbonron	1
17. Okere	1
18. Arinwa	1
19. Ogbon Oloriri	1
20. Isewa	1
21. Ejure, Ugbe-Idofin	1
22. Obagure-Ibereku	1
23. Moloba	1
24. Irefun	1
25. Obaju... ..	1
26. Odo-Orun	1
27. Owado	1
28. Owanikun	1
29. Ibaka, Okelosun-Ikana	1
30. Idofin-Isolo	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126.

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 22nd day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 26th day of March, 1955.

13. (i) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the traditional members shall be three years. The whole number of the traditional members shall then retire together and their places shall be filled by such traditional members as may be appointed or reappointed by Instrument.

(ii) Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

IKARE DISTRICT COUNCIL AND THE LOCAL COUNCILS IN THE AKOKO DISTRICT

SCHEDULE

In addition to those functions conferred upon District/Local Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

A.—FUNCTIONS WHICH THE COUNCIL EXERCISES EXCLUSIVELY OF THE AKOKO DIVISIONAL COUNCIL.

(i) *Obligatory Functions*

The Council shall—

(a) comply with the provisions of section 70 of the Law ;

(b) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council ;

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph A (i) (b) above or which the Central or Regional Government or the Akoko Divisional Council maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is, under this Schedule, obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) in accordance with paragraph (35) of section 71 of the Law, grant sums of money towards the establishment, equipment, or maintenance of any hospital, maternity home, dispensary, asylum for the aged, destitute, or infirm or for orphans or asylums and settlements for lepers ;

(g) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(4), (9), (13), (14), (15), (16), (18), (19), (20), (28), (31), (32), (33), (39), (42), (43), (44), (45), (46), (51), (52), (53), (54), (59), (61), (63), (66), (67), (70), (71), (72a), (74), (78), (81a), (83).

B.—FUNCTIONS WHICH THE COUNCIL MAY EXERCISE CONCURRENTLY WITH
THE AKOKO DIVISIONAL COUNCIL

The Council may—

(a) perform all or any of the functions contained in the following paragraphs of section 71 of the Law :—

(6), (17), (22), (23), (25), (27), (29), (36), (38), (40), (41), (48), (49), (60), (62), (64), (65), (69), (73), (76), (77), (79), (81), (82).

W.R.L.N. 158 of 1954**INSTRUMENT ESTABLISHING THE ILUMEJO LOCAL COUNCIL.***The Western Region Local Government Law, 1952**(No. 1 of 1953)*

In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a Local Council entitled the Ilumejo Local Council (hereinafter called "the Council") shall be established upon the 26th day of March, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ilumejo Local Council" may be used until such time as a seal be procured.

3. The area of the authority of the Council shall be the areas traditionally associated with the villages of Erushu, Afa, Oyin, Oge, Eshe, Afin, Aje and Udo, and which at the time of coming into force of this Instrument, are subject to the jurisdiction of the Osunla of Erushu, the Alafa of Afa, the Oloyin of Oyin, the Owage of Oge, the Eleshe of Eshe the Alafin of Afin, the Ewi of Aje and the Oludo of Udo respectively.

4. A Chairman of the Council shall be elected in accordance with the provisions of paragraph 14 of this Instrument.

5. The Council shall consist of forty members, namely :

Ten traditional members

Thirty elected members.

6. The quorum shall be fourteen members.

7. The ten traditional members shall be the persons for the time being holding the following titles :—

The Osunla of Erushu ;

The Ewi of Aje-Okeagbe ;

Chief Alaga of Erushu ;

The Oloyin of Oyin ;

The Ajana of Afa-Okeagbe ;

The Oludo of Iddo ;

Chief Rawa of Afa-Okeagbe ;

The Eleshe of Eshe ; and

The Owase of Oge-Okeagbe

The Alafin of Afin.

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters, for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table following :—

<i>Name of Ward</i>	<i>Village</i>	<i>Number of persons to elected</i>
1. Iruja	Afa	1
2. Odo-Okò	Afa	1
3. Uma	Afa	1
4. Ogotun	Afa	1
5. Odo-Esi	Afa	1
6. Afìn-Ayowe	Afa	1
7. Ikulogun	Afa	1
8. Udo	Udo	1
9. Aje	Aje	1
10. Asalu	Oge	1
11. Aiyeteju	Oge	1
12. Odofin	Oge	1
13. Olisa	Oge	1
14. Odofin	Oyin	1
15. Odemo	Oyin	1
16. Ojemo	Oyin	1
17. Afìn	Oyin	1
18. Oke-Amo	Erushu	1
19. Isale-Amo	Erushu	1
20. Court Okega	Erushu	1
21. C.M.S. Okega	Erushu	1
22. Eja-Aga	Erushu	1
23. Odo-Owo	Erushu	1
24. Ishan	Erushu	1
25. Eleshe	Eshe	1
26. Oloke	Eshe	1
27. Ogotun	Afìn	1
28. Afìn	Afìn	1
29. Moga-Ojueku	Afìn	1
30. Odo-Afìn	Afìn	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
V	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

W.R.L.N. 162 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE ILA DISTRICT COUNCIL.

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ila District Council (hereinafter called "the Council") shall be established upon the first day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ila District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ila District.

4. The President of the Council shall be the Orangun of Ila, and a Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of fifty-eight members, namely :

The President

Twelve traditional members

Forty-five elected members.

6. The quorum shall consist of twenty-nine members.

7. (1) Nine of the twelve traditional members shall be elected every three years by secret ballot by and from amongst the following chiefs of Ila Town :—

EGBE OBALA

- | | |
|--------------|--------------|
| 1. Obala | 8. Obasolo |
| 2. Obafa | 9. Obajoko |
| 3. Obale | 10. Obajisun |
| 4. Obaro | 11. Obanla |
| 5. Ejemu | 12. Obatufe |
| 6. Elemona | 13. Enare |
| 7. Obasinkin | |

EGBE OBALOTIN

- | | |
|--------------|---------------|
| 1. Obalotin | 9. Esa-Afin |
| 2. Obalumo | 10. Obadofin |
| 3. Edimarun | 11. Obaloja |
| 4. Inurin | 12. Obanihare |
| 5. Odogun | 13. Obaodo |
| 6. Olo | 14. Petu |
| 7. Abalagemo | 15. Enifare |
| 8. Odosin | 16. Obalohun |

EGBE ELU

- | | |
|--------------|-------------|
| 1. Asaoye | 8. Alare |
| 2. Ataponiyo | 9. Owapetu |
| 3. Esa-Logbo | 10. Odogbin |
| 4. Owada | 11. Odofin |
| 5. Obalogbo | 12. Odofa |
| 6. Owadota | 13. Asanlu |
| 7. Elegungun | |

EGBE OJUWA

- | | |
|------------|----------------|
| 1. Afigio | 8. Arapate |
| 2. Odole | 9. Oloye |
| 3. Odofa | 10. Ominiwa |
| 4. Odofin | 11. Esa |
| 5. Oyedun | 12. Ejenwa |
| 6. Aigberi | 13. Atewogbade |
| 7. Sade | |

EGBE IKEGBE

- | | |
|--------------|-----------|
| 1. Obasaba | 4. Ajoo |
| 2. Odode | 5. Saloro |
| 3. Obatinsin | 6. Sawe |

EDE VILLAGE

- | | |
|------------|------------|
| 1. Edigbon | 3. Odofin |
| 2. Obala | 4. Elejuwa |

OYI-AIYEGUNLE

1. Balc Aiyegunle.

(2) Two of the twelve traditional members shall be elected every three years by secret ballot by and from amongst the following chiefs of Ora :—

- | | |
|-----------------------|--------------------------|
| 1. The Asaoni ; | 18. The Esinkin-Ora ; |
| 2. The Akesin ; | 19. The Esinkin-Okewu ; |
| 3. The Obala-Inisha ; | 20. The Olukotun-Ora ; |
| 4. The Obala-Iperin ; | 21. The Esaba-Okewu ; |
| 5. The Odofin ; | 22. The Olukose Ora ; |
| 6. The Osolo ; | 23. The Elemukan Okewu ; |
| 7. The Elewu ; | 24. The Esawe ; |
| 8. The Inurin ; | 25. The Obajoko ; |
| 9. The Ejeniu-Okewu ; | 26. The Obapetu ; |
| 10. The Ejemu-Ora ; | 27. The Obaro Okewu ; |
| 11. The Asanlu ; | 28. The Osolo Okewu ; |
| 12. The Olotu ; | 29. The Ada Ile Ate ; |
| 13. The Odogun ; | 30. The Ada Oke Kanga ; |
| 14. The Obaro ; | 31. The Sajuku Inisha ; |
| 15. The Asaba ; | 32. The Oluju ; |
| 16. The Ologu ; | 33. The Esaba Ora ; |
| 17. The Arofa ; | 34. The Sasere, |

(3) The remaining one traditional member shall be elected every three years by secret ballot by and from amongst the following Chiefs of Oke-Ila :—

- | | |
|-----------------------------|----------------------|
| 1. The Orangun of Oke-Ila ; | 12. The Asaoye ; |
| 2. The Obala ; | 13. The Rawa ; |
| 3. The Obafa ; | 14. The Odofin ; |
| 4. The Obale ; | 15. The Alapinni |
| 5. The Obaro ; | 16. The Balogun ; |
| 6. The Ejemu ; | 17. The Odogun ; |
| 7. The Elemona ; | 18. The Obaloja ; |
| 8. The Obasinkin ; | 19. The Obalogbo ; |
| 9. The Obasolo ; | 20. The Asanlu-Ilu ; |
| 10. The Obajoko ; | 21. The Esa-Afin ; |
| 11. The Obalotin ; | 22. The Odošin. |

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the forty-five elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
1. Ejigbo I	1
2. Ejigbo II	1
3. Ejigbo III	1
4. Ejigbo IV	1
5. Ejigbo V	1
6. Ejigbo VI	1
7. Ejigbo VII	1
8. Ejigbo VIII	1
9. Ejigbo IX	1
10. Ejigbo X	1
11. Ejigbo XI	1
12. Isedo I	1
13. Isedo II	1
14. Isedo III	1
15. Isedo IV	1
16. Isedo V	1
17. Isedo VI	1
18. Isedo VII	1
19. Isedo VIII	1
20. Isedo IX	1
21. Iperin I	1
22. Iperin II	1
23. Iperin III	1
24. Iperin IV	1
25. Iperin V	1
26. Iperin VI	1
27. Iperin VII	1
28. Iperin VIII	1
29. Eyindi I	1
30. Eyindi II	1
31. Eyindi III	1

<i>Name of Ward</i>	<i>Number of persons to be elected</i>
32. Eyindi IV	1
33. Eyindi V	1
34. Eyindi VI	1
35. Eyindi VII	1
36. Eyindi VIII	1
37. Oke-Ede I	1
38. Oke-Ede II	1
39. Oke-Ede III	1
40. Ora Asaoni	1
41. Ora Akesin I	1
42. Ora Akesin II	1
43. Ora Akesin III	1
44. Oke-Ila I	1
45. Oke-Ila II	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1, 2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say the method of election shall be that prescribed as 'Type B' in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 1st day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 4th day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected and traditional members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council, and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1954.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

(i) Obligatory Functions

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law ;

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) maintain, repair and equip, and engage and pay adequate staff for all Native Courts in the Ila District and pay to the duly appointed members of such Native Courts such sitting fees as the Local Government Inspector, in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve ;

(d) ensure that all fines, fees, forfeitures and penalties in respect of, or as a result of, proceedings in such Native Courts are paid to the general revenue of the Council ;

(e) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) Permissive Functions

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph (i) (e) above or which the Federal or Regional Government maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridges, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same.

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law.

(g) perform all or any of the functions contained in the other paragraphs of section 71 of the Law.

W.R.L.N. 163 of 1954

*The Western Region Local Government Law, 1952
(No. 1 of 1953)*

INSTRUMENT ESTABLISHING THE IBARAPA DISTRICT COUNCIL

1. In exercise of the powers conferred upon the Regional Authority by section 3 of the Western Region Local Government Law, 1952 (hereinafter called "the Law"), a District Council entitled the Ibarapa District Council (hereinafter called "the Council") shall be established upon the 1st day of April, 1955.

2. The common seal of the Council shall be the following device :



Provided that a rubber stamp bearing the words "Ibarapa District Council" may be used until such time as a seal be procured.

3. The area of authority of the Council shall be the Ibarapa District, namely, the Lanlate, Eruwa, Igboora, Idere, Tapa-Aiyete and Igangan areas.

4. A Chairman shall be elected in accordance with paragraph 14 of this Instrument.

5. The Council shall consist of forty-eight members, namely :

Twelve traditional members

Thirty-six elected members.

6. The quorum shall consist of twenty-four members.

7. The twelve traditional members shall continue to hold office and shall not retire with the elected members, and shall be the persons for the time being holding the following titles :—

- | | |
|-------------------------------------|-------------------------------|
| (a) The Eleruwa of Eruwa ; | (g) The Onidere of Idere ; |
| (b) The Bale Anko of Eruwa ; | (h) The Jagun of Idere ; |
| (c) The Bale of Lanlate ; | (i) The Bale of Tapa ; |
| (d) The Onitabo of Itabo Lanlate ; | (j) The Bale of Aiyete ; |
| (e) The Bale of Igboora ; | (k) The Ashigangan of Igangan |
| (f) The Bale of Iberckodo Igboora ; | (l) The Otta of Igangan. |

8. The persons who are entitled to elect the elected members (hereinafter called "the voters") shall be those persons whose names appear on the current register of voters for the wards set out in paragraph 9 of this Instrument.

9. Each of the thirty-six elected members of the Council shall be elected by the registered voters of one of the following wards in accordance with the table set out below :—

<i>Name of Ward</i>	<i>Areas</i>	<i>Number of persons to be elected</i>
1. Oke-Oba	Eruwa	1
2. Bale Anko	Eruwa	1
3. Asaba	Eruwa	1
4. Bale Aborerin	Eruwa	1
5. Otun Bale Aborerin	Eruwa	1
6. Olori	Eruwa	1
7. Olori Ago Ajala	Eruwa	1
8. Bale Lanlate	Lanlate	1
9. Otun Bale Lanlate	Lanlate	1
10. Itabo	Lanlate	1
11. Isale Oba... ..	Igboora	1
12. Oke Odo	Igboora	1
13. Oke Iserin I	Igboora	1
14. Oke Iserin II	Igboora	1
15. Isale Ogede	Igboora	1
16. Ita Bale Iberekodo	Igboora	1
17. Isale Agoro	Igboora	1
18. Odofin Pembo	Igboora	1
19. Bale Pako	Igboora	1
20. Ita Jagun Pako	Igboora	1
21. Oke Aro Idofin	Igboora	1
22. Ita Bale Idofin	Igboora	1
23. Bale Shaganhu	Igboora	1
24. Bale Igbole	Igboora	1
25. Oke Oba	Idere	1
26. Koso and Apa	Idere	1
27. Onigbio Odofin and Balogun	Idere	1
28. Iki	Tapa	1
29. Tapa	Tapa	1
30. Isawo	Aiyete	1
31. Imofin	Aiyete	1
32. Gbodiko	Aiyete	1
33. Isale Oja	Igangan	1
34. Isale Akao	Igangan	1
35. Igitele	Igangan	1
36. Oke Oba	Igangan	1

10. The following provisions of the Western Region (Local Government) (Elections) Regulations, 1953, shall apply to the elections of the elected members :—

<i>Part</i>	<i>Regulations</i>
I	1-2
II	3-5
III	6-21
IV	22-31 ; 62-91
VI	109-121
VII	122-126

That is to say, the method of election shall be that prescribed as Type B in the said Regulations.

11. An election shall not be invalidated for non-compliance with the provisions of this Instrument if it appears to the court having cognisance of the question that the election has been conducted substantially in accordance with the principles laid down in this Instrument and that the non-compliance did not affect the result of the elections.

12. If, after the last date for receiving nominations, an election is required, the first election to the Council shall be held on the 14th day of March, 1955, or as near as may be, and the first meeting of the Council shall be held on the 1st day of April, 1955.

13. Subject to the provisions of sections 26 and 32 of the Law, the term of office of the elected members shall be three years. Subsequent elections shall be held in accordance with the provisions of this Instrument every three years during the 30-day period immediately preceding the date of termination of office of the retiring elected members, and the newly elected or re-elected members shall come into office on that date.

14. Subject to the provisions of section 29 of the Law, the Chairman shall be elected annually by the Council by secret ballot from among the elected and traditional members of the Council and shall be eligible for re-election.

15. The functions of the Council shall be as set out in the Schedule to this Instrument.

MADE by the Regional Authority this 28th day of September, 1955.

S. J. HENRY,
Clerk to the Executive Council

SCHEDULE

In addition to those functions conferred upon District Councils by virtue of the provisions of the Law, the following functions are conferred upon the Council :—

(i) *Obligatory Functions*

The Council shall—

(a) be the rating authority for the area under its jurisdiction in accordance with section 109 of the Law :—

(b) perform all the functions contained in paragraph (34) of section 71 of the Law ;

(c) maintain, repair and equip, and engage and pay adequate staff for all Native Courts in the Ibarapa District and pay to the duly appointed members of such Native Courts such sitting fees as the Local Government Inspector, in the exercise of the powers delegated to him under W.R.L.N. 14 of 1954 shall approve ;

(d) ensure that all fines, fees, forfeitures and penalties in respect of, or as a result of, proceedings in such Native Courts are paid to the general revenue of the Council ;

(e) in accordance with paragraph (58) of section 71 of the Law, maintain such roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, as the Minister for Local Government shall in writing declare to be the responsibility of the Council.

(ii) *Permissive Functions*

The Council may—

(a) in accordance with paragraph (58) of section 71 of the Law, maintain all roads or streets (and the street-drains, culverts and bridges thereon) within the Council area, other than those roads, streets, street-drains, culverts and bridges covered by paragraph (f) (e) above or which the Federal or Regional Government maintains ;

(b) in accordance with paragraph (58) of section 71 of the Law, make, alter, or divert any paths or water courses within the Council area, or any roads, streets, street-drains, culverts or bridges which the Council is under this Schedule obliged or permitted to maintain ;

(c) in accordance with paragraph (58) of section 71 of the Law, make any road, street, path, culvert, bridge, street-drain or water course not in existence at the date of this Instrument and alter, divert and maintain the same ;

(d) in accordance with paragraph (10) of section 71 of the Law, prescribe building lines in respect of any road or street which the Council is under this Schedule obliged or permitted to maintain ;

(e) in accordance with paragraph (10) of section 71 of the Law, provide for the layout of buildings within the Council area ;

(f) adopt either of the systems of rating specified in sub-section (2) of section 112 of the Law ;

(g) perform all or any of the functions contained in the other paragraphs of section 71 of the Law.

W.R.L.N. 164 of 1954

ORDER made under THE DOGS ORDINANCE
(Cap. 56)

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 Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Agbor Town Area) Declaration and Prohibition (Revocation) Order, 1954, and shall come into operation on the 19th day of October, 1954.

2. The Rabies (Agbor Town Area) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Benin City this 16th day of October, 1954.

H. L. M. BUTCHER,
Resident, Benin Province

W.R.L.N. 165 of 1954

RULES made under THE MARKETING ORDINANCE
(Cap. 127)

In exercise of the powers conferred upon Native Authorities by section 5 of the Markets Ordinance, the following Rules have been made by the Eredo Area Native Authority with the approval of the Administrator of the Colony :—

1. These Rules may be cited as the Eredo Area Native Authority (Mojoda Market) Rules, 1954 and shall apply to the Mojoda Market.

2. In these Rules :—

“Market” means the Mojoda Market ;

“Market Master” means the person appointed by the Native Authority to be in charge of the market and to enforce the observance of these Rules ;

“Native Authority” means the Eredo Area Native Authority.

3. The market shall open on such days and times as the Native Authority shall appoint.

4. (1) The following fees shall be paid in advance to the market master on behalf of the Native Authority by all persons selling or exposing for sale, food or merchandise or carrying on their trade or calling in the market :—

	£	s	d
(a) For Native Authority maintained small stalls having an area not exceeding 48 sq. ft. :			
Monthly	0	1	6
Yearly	0	15	0
(b) For Native Authority maintained Produce Stores having an area exceeding 48 sq. ft. but not exceeding 96 sq. ft. :			
Monthly	0	3	0
Yearly	1	10	0
(c) For Native Authority maintained Large Produce Stores having an area exceeding 96 sq. ft. but not exceeding 320 sq. ft. :			
Monthly	0	5	0
Yearly	2	10	0
(d) For squatting in a vacant place set aside for casual traders :			
Every Market day	0	0	3
(e) For Hawking :			
Every Market day	0	0	1

(2) A receipt shall be issued by the market master for fees paid to him.

5. Any person who :—

(a) uses the market or any plot, stall or store therein for the purpose of selling any article or carrying on his trade in the market, the prescribed fees therefore not having been previously paid ;

(b) erects any stall, shed, building, wall, fence or enclosure in the market without the consent of the Native Authority ;

(c) allows a store or stall which he or she has hired to be insanitary or fails to keep it clean ;

(d) exposes for sale in the market, produce, merchandise or any substance except in such places as are set aside by the Native Authority for the sale of such wares ;

(e) sells meat or fish in any part of the market other than that set aside by the Native Authority for the purpose ;

(f) cooks food in any part of the market other than that set aside by the Native Authority for the purpose ;

(g) places any obstruction in the alleys or the passages of the market ;

(h) deposits refuse in any place other than in a receptacle provided for the purpose ;

(i) not being a duly authorised watchman or labourer is found loitering in any portion of the market between 9.00 p.m. and 5.00 a.m. ;

(j) sublets any plot or stall without the consent of the Native Authority.

(k) commits a nuisance in the market ;

(l) sells or carries on his trade when the market is not opened ;

(m) parks a motor vehicle at any place within the market other than that set aside by the Native Authority for the purpose ;

shall be guilty of an offence and shall be liable to a fine of one pound (£1) or seven days imprisonment in default.

6. (1) Any person who in contravention of rule (5)(b) erects any stall, shed, building, wall, fence or enclosure within the market without the consent of the Native Authority may be required to remove the erection within such reasonable time as may be fixed by the Native Authority.

(2) If such person shall refuse or neglect to comply with the order of the Native Authority he shall be liable to an additional penalty of ten shillings for each twenty-four hours during which the erection remains. After the expiry of the period allowed for its removal, the Native Authority may, in its discretion, dismantle the erection, remove all the materials and sell them to pay any unpaid fine or any costs of such removal.

7. (1) No person shall upon market days set up a stall or table for the sale of goods or otherwise display goods for sale in any street or on any open public space within one mile from the edge of the market without a written permit from the Native Authority.

(2) Any person committing a breach of this Rule shall be guilty of an offence and liable to a fine of one pound or seven days imprisonment in default for the first offence and a fine of £2 or fourteen days imprisonment for default for any subsequent offence.

8. Any person other than the market master or other person duly appointed by the Native Authority, who collects or attempts to collect any fees, shall be guilty of an offence and shall be liable to a fine of five pounds or one month's imprisonment in default.

9. The Mojoda Market Rules, 1941, and the Mojoda Market (Amendment) Rules, 1947, are hereby revoked.

MADE by the Eredo Area Native Authority for the Eredo Native Authority Area this 7th day of August, 1954.

HON. BAKARE ONAMADE,
Chairman, Eredo Area Council

His X Mark

ALLI ETU OF IBONWON His X Mark
SANNI SERIKI OF POKA

GBADAMOSI OTUNBA OF IGBOYE His X Mark

M. B. DAIRO OF ODORAGUNSHIN

Authorised to sign on behalf of the Native Authority by the Administrator of the Colony by Authority dated the 29th of April, 1944.

Witness to marks :—

L. O. FEKO,
Council Clerk, Eredo

APPROVED by the Administrator of the Colony this 29th day of September, 1954.

F. MARTIN-DAVIES,
Acting Administrator of the Colony

W.R.L.N. 166 of 1954

*BYE-LAWS made under THE LIQUOR ORDINANCE
(Cap. 114)*

**THE IJEBU-REMO DIVISIONAL COUNCIL (LIQUOR LICENSING)
BYE-LAWS, 1954**

In exercise of the powers conferred upon local government councils by section 22 of the Liquor Ordinance, the following Bye-laws have been made by the Ijebu-Remo Divisional Council with the approval of the Governor :—

1. These Bye-laws may be cited as the Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954, and shall apply to the whole area within the jurisdiction of the Ijebu-Remo Divisional Council.

2. In these Bye-laws :—

“Council” means the Ijebu-Remo Divisional Council.

3. No person shall sell intoxicating liquor to any person except under a licence authorising such sale.

Prohibition of sale of intoxicating liquor except under licence.

4. No licence other than a temporary liquor licence shall be issued except on a certificate granted by the Council.

Authority for issue of licence.

5. The Chairman of the Ijebu-Remo Divisional Council shall be the Licensing Officer for the purposes of these Bye-laws.

Appointment of Licensing Officer.

6. Licences of the several descriptions following, authorising the sale of intoxicating liquor subject to the provisions of these Bye-laws, may be issued by the Licensing Officer :—

Licences authorising the sale of liquor.

- (a) A tavern licence ;
- (b) A wine and beer off licence ;
- (c) A wine and beer on licence ;
- (d) A general retail liquor licence ;
- (e) A hotel liquor licence ;
- (f) A club liquor licence ;
- (g) A temporary liquor licence ;
- (h) A store liquor licence.

7. The following conditions and provisions shall apply to the licences enumerated in the preceding Bye-laws :—

Definitions and conditions of licence.

(a) A “tavern licence” authorises the sale by retail of liquor, other than trade spirits, to be consumed on the licensed premises.

(b) A “wine and beer off licence” authorises the sale in quantities not exceeding two bottles to any one person during the space of twenty-four hours of wine and beer to be consumed elsewhere than on the licensed premises. The licence does not authorise the sale of wine and beer containing more than twenty per cent of pure alcohol.

(c) A "wine and beer on licence" authorises the sale by retail of wine and beer to be consumed on the licensed premises.

The licence does not authorise the sale of wine or beer containing more than twenty per cent of pure alcohol.

(d) A "general retail liquor licence" authorises the sale in quantities not exceeding one gallon to any one person during the space of twenty-four hours of any liquor for consumption off the licensed premises.

(e) A "hotel liquor licence" authorises the sale of liquor, other than trade spirits, by retail :—

(i) on any day and at any hour to persons sleeping on the premises to be consumed thereon ;

(ii) to persons taking meals in the hotel to be consumed therein with these meals, on Christmas Day, Good Friday, or Sunday between the hours of 11.30 a.m. and 2.30 p.m. and 6.30 p.m. and 10.30 p.m. and on other days between the hours of 8 a.m. and 11.30 a.m.

(f) (i) A "club liquor licence" authorises the sale of liquor, other than trade spirits, to the members of the club to be consumed on the premises.

(ii) No place of accommodation, entertainment or refreshment shall be considered a club where other than members or their invited guests are allowed entry or accommodation or where other than members are charged or permitted to pay for any refreshment or accomodation they may obtain therein ;

(iii) Every club licence shall be issued to the proprietor, secretary or manager of the club :

Provided that no transfer of any such licence shall be necessary upon any change of any such proprietor, secretary or manager, but the person for the time being holding any such office shall be entitled to the privilege granted by the licence and subject to the duties and obligations imposed upon the holder thereof :

(iv) The Council shall not authorise the grant or renewal of a club liquor licence unless the applicant shall produce a certificate from the Resident, Ijebu Province, which shall state that it has been made to appear to his satisfaction that the club mentioned therein is a *bona fide* club and is a proper club to be granted a licence ;

(v) A copy of the rules of the club certified by the Secretary or Chairman must be deposited by the applicant with the officer from whom such certificate is requested.

(g) (i) A "temporary liquor licence" may be issued to the holder of a licence to sell intoxicating liquor by retail and authorises the holder to sell liquor by retail at any place of recreation or public amusement or other assembly ; subject to such restrictions and conditions as the officer issuing the licence shall think proper.

(ii) A temporary liquor licence shall not be granted for any period exceeding three days.

(iii) The licence shall specify the number of days and the hours during which the sale thereunder is authorised.

(h) A "store liquor licence" authorises the sale by retail of liquor, other than trade spirits, to be consumed elsewhere than on the licensed premises.

Hours during which liquor may be sold.

8. A wine and beer off licence or a general retail liquor licence shall not authorise the sale of liquor on Christmas Day, Good Friday or Sunday except between the hours of 12.30 p.m. and 2 p.m. and 5 p.m. and 8 p.m. or on any other day except after 6 a.m. and before 10.30 p.m.

Licence to expire on 31st December.

9. Every licence enumerated in bye-law 6, other than a temporary licence, shall expire on the 31st December in the year in which it is issued :

Provided that when proper application for the renewal of a licence has been made, such licence shall continue in force until such time as the applicant has been notified of the decision of the Council.

10. (1) All applications for new licences or for the renewal of licences which may be issued on the certificate of the Council, shall be made to the Licensing Officer in the prescribed form :—

Application to whom made.

(a) if for consideration at the session of the Council to be held in April not later than 15th January ;

(b) if for consideration at the session of the Council to be held in July not later than 15th April ;

(c) if for consideration at the session of the Council to be held in October not later than the 15th July ;

(d) if for consideration at the session of the Council to be held in January not later than the 15th October :

Provided that in case any application is not made in due time, but is made before the Licensing Officer has completed his enquiry and reports, the Licensing Officer may, if he thinks fit, accept the same for consideration upon payment of an additional fee of five pounds.

(2) Any person who in making any such application knowingly makes any false statement with regard to the particulars required in such application shall be liable to a fine of fifty pounds and any licence issued on such application may be cancelled by the Council.

Procedure on receipt of application.

11. The Licensing Officer shall on receipt of an application—

(a) cause a copy of the application to be posted in some conspicuous place outside the Council office ;

(b) notify the applicant in writing and the public by a notice posted as provided in paragraph (a) of the date and place on and at which he will sit to enquire into the application and hear objections thereto, which date shall not be less than ten days after the posting of such notice.

Who may object to issue of licence.

12. (1) Any person residing in the district or place wherein application is made for a licence or renewal of a licence may object to the granting or renewal of the licence.

(2) Such objection shall be made in writing to the Licensing Officer at least two days before the enquiry.

Inquiry.

13. (1) The inquiry into an application for a licence or for the renewal of a licence shall be held in public in the Ijebu-Remo Divisional Council Hall by the Licensing Officer sitting with two members of the said Council : Provided that no applicant for or holder of a licence shall be eligible to sit.

(2) Every applicant for a licence shall appear in person at the time and place appointed for the enquiry or to which the enquiry may be adjourned.

(3) Every applicant for the renewal of a licence and persons opposing an application shall, if required by the officer holding the enquiry appear in person before such officer.

(4) Any person appearing at any inquiry whether as an applicant or as a person opposing an application may be required to give evidence on oath on any question affecting the application which the officer holding the inquiry may think proper.

(5) Any inquiry may be adjourned from time to time as the officer holding the inquiry may think proper, provided that the enquiry is completed by such time as will permit of the report thereon being furnished to the Council within the time mentioned in the next succeeding bye-law.

14. (1) Immediately on the completion of such enquiry, the Licensing Officer shall forward a copy of the application together with the written opposition (if any) thereto and a certified copy of any evidence taken thereon to the Council, so that the same shall be received not later than the last day of the month next preceding that in which the Council will sit to consider such application. After inquiry application and report thereon to be furnished to Council.

(2) The Licensing Officer shall, when forwarding the application, report to the Council on all matters that may affect the decision of the Council in respect of the application, which report shall contain, in the case of an application for a new licence, information as to :—

(a) the character and circumstances of the applicant ; and

(b) the suitability of the premises in respect of which the licence is required ;

and he shall furnish the Council with his recommendations and those of the members of the Council sitting with him.

15. The Council shall sit in the first week in April, July, October and January of each year for the purpose of considering applications which have been forwarded to them by the Licensing Officer. Sitting of Council.

16. The Council may in its discretion grant or refuse to grant a certificate for a licence or renewal of a licence or may grant a certificate subject to any special conditions it may consider necessary having regard to the provisions of these Bye-laws. Any special conditions shall be specified in the certificate and shall be embodied in the licence. Discretion of Council.

17. (1) The decision of the Council, and the certificate, if any, shall be sent by the Clerk of the Council to the Licensing Officer and shall be notified by such officer to the applicant. Decision of Council to be notified to the applicant through Licensing Officer.

(2) The Licensing Officer receiving the certificate shall on the receipt of the prescribed fee issue a licence in the terms of the certificate. Issue of licence.

18. When a certificate for the renewal of a licence is not granted by the Council, the Council may in its discretion authorise the issue of a licence to the applicant for such period as the Council may think proper to enable him to dispose of the liquor then in his possession and a proportionate part of the prescribed fee for the annual licence shall be paid for every such licence. Extension of existing licence when renewal refused.

19. In case the applicant shall die after applying for the grant or renewal of a licence and before the licence or renewal licence has been issued, the Council may authorise the issue of the licence or renewal licence to the executor, administrator, or trustee as the case may be, of the estate of such applicant. Death of applicant.

Transfer of licence.

20. No licence issued under these Bye-laws shall be transferable except in the event of the death of the holder of a licence, in which case the Council may make such order as to transfer as it thinks just.

Sign board.

21. (1) Every holder of a licence other than a temporary licence granted under these Bye-laws shall suspend or affix and maintain over the entrance to the licensed premises a board of not less dimensions than two feet by eight inches, on which shall be painted in legible characters the name of the licensee and the class of the licence of which he is the holder.

Penalty—a fine of fifty pounds.

(2) No person who is not licensed shall have any words on his premises purporting that he is licensed, and no licensed person shall have any word or letter on his premises purporting that he is licensed in any other way than that in which he is duly licensed.

Penalty—a fine of fifty pounds.

In case of an offence by the servant, etc., of a licence-holder both the servant, etc., and licence-holder to be liable to the penalties prescribed.

22. If any person being the manager for, or the servant of, or authorised to act for, a licence-holder shall do any act or thing or be guilty of any omission which if done or omitted by the licence-holder, would constitute an offence by the licence-holder, both such person and the licence-holder shall be liable to the penalties prescribed by these Bye-laws for such offence, whether such act, thing, or omission was done or made with or without the knowledge or consent of the licence-holder.

Offences by retail licence-holder.

23. The holder of a retail licence who :—

(a) permits drunkenness or any riotous or quarrelsome conduct to take place upon his premises ;

(b) sells liquor to any person in a state of intoxication or by any means encourages or incites any such person to drink intoxicating liquor ;

(c) sells liquor to a child under fourteen years of age ;

(d) sells or supplies liquor to any soldier or police officer on duty, or knowingly harbours or suffers to remain on his premises, any such soldier or police officer unless for the purpose of keeping or restoring order or in execution of his duty ;

(e) permits the premises to be used as a brothel or the habitual resort or place of meeting of prostitutes, or allows any such person to remain on the licensed premises longer than is necessary for the consumption of any liquor purchased by her :

(f) fails to admit or obstructs any police officer or other authorised person from entering the licensed premises in the execution of his duty or fails to produce his licence when demanded by a police officer or other authorised person :

(g) keeps his premises open for the sale of liquor during any time when he is not authorised by his licence to sell liquor or allows any liquor to be consumed on such premises during any such time :

(h) being the holder of a tavern licence, a wine and beer licence or a general retail liquor licence, permits gaming or any unlawful game to be played on the licensed premises. shall be liable to a fine of fifty pounds.

24. Any person who—

Offences by persons other than the licence-holder.

(a) not being the occupier or a servant or member of the family of the occupier consumes any intoxicating liquor on premises licensed for the sale of liquor by retail during the hours when the sale of liquor is prohibited; or

(b) obtains or attempts to obtain intoxicating liquor during the hours when the sale of liquor is prohibited by falsely representing himself to be a person sleeping on the hotel premises; or

(c) being found on licensed premises during the hours during which the sale of liquor is prohibited refuses his name and address when demanded by a police officer, or gives a false name or address, shall be liable to a fine of five pounds for a first offence and of ten pounds for any subsequent offence.

25. Any licensed person or his agent or servant may refuse to admit or may turn out of his licensed premises, by force if necessary, any person who is drunken, violent, quarrelsome or disorderly, and any person whose presence on his premises would subject him to a penalty under these Bye-laws; and any such person who, on being requested by such licensed person or his agent or servant or by a police officer to leave such premises refuses or fails to do so, shall be liable to a fine of five pounds, and all police officers are required, on demand of such licensed person, agent or servant to expel or assist in expelling such person from such premises and may use such force as may be required for the purpose.

Power to expel drunkards, etc., from licensed premises.

26. (1) Any person contravening or failing to comply with any of the provisions of bye-law 3 of these Bye-laws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty pounds.

On conviction of a licence-holder his licence to be liable to be forfeited.

(2) Whenever a licence-holder is convicted of an offence under these Bye-laws, his licence shall be liable to forfeiture.

(3) Every conviction of a licence-holder under these Bye-laws shall be endorsed on his licence by the convicting Court, and the licence-holder shall produce his licence to the Court for such purpose.

(4) Any person who—

(a) shall neglect or refuse to produce his licence as required by paragraph 3 of this Bye-law; or

(b) without proper authority obliterates or alters any such endorsement as aforesaid: shall be liable to a fine of ten pounds.

27. Every member of the Ijebu-Remo Local Government police force may—

Power of police.

(a) enter any licensed premises at any time for the purpose of detecting or preventing any breach of the provisions of these Bye-laws or of any licence issued under these Bye-laws, and,

(b) at any time demand the production of any licence granted under these Bye-laws.

Fees. 28. The following fees shall be payable for licences :—

	£	s	d
(i) On application (other than for a temporary licence) ..	0	5	0
(ii) Tavern Licence	25	0	0
(iii) Wine and Beer Off Licence	3	0	0
(iv) Wine and Beer On Licence	7	10	0
(v) General Retail Liquor Licence	20	0	0
(vi) Store Liquor Licence	12	10	0
(vii) Hotel Liquor Licence	25	0	0
(viii) Proprietary Club Liquor Licence	25	0	0
(ix) Members' Club Liquor Licence	5	0	0
(x) Temporary Liquor Licence for each day, or continuous period not exceeding twelve hours or two days	1	0	0

Provided that the fee for licences (ii) to (vii) shall be seven-eighths of the fee shown if taken for the last three-quarters of the year, five-eighths if taken for the last two-quarters, and three-eighths if taken for the last quarter only.

Use of forms in Schedule.

29. Subject to the express provisions, if any, of these Bye-laws the forms contained in the Schedule shall, with such variations as the circumstances of the particular case may require, be used in the cases to which they apply.

30. The Ijebu-Remo Divisional Native Authority (Liquor Licensing) Bye-laws, 1952, are hereby revoked.

MADE by the Ijebu-Remo Divisional Council this 3rd day of April, 1954, the common seal having been thereunto affixed in the presence of :—

M. S. AWOLESI, *Erinwole II,*
President, Ijebu-Remo Divisional Council

ADE AIYEOLA, *Afolu II,*
Chairman, Ijebu-Remo Divisional Council

A. A. ADEGBAMIGBE,
Secretary, Ijebu-Remo Divisional Council

Signified in accordance with the Ijebu-Remo Divisional Council Standing Orders dated the 26th day of September, 1953.

APPROVED by the Governor this 24th day of September, 1954.

By His Excellency's Command,

J. O. FIELD,
Acting Administrative Secretary to the Government

SCHEDULE

FORM A

Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954

APPLICATION FOR A LICENCE BY A PERSON WHO DOES
NOT HOLD A LICENCE OF THE CLASS APPLIED FOR
IN RESPECT OF THE PREMISES FOR WHICH
THE LICENCE IS REQUIRED

To the Chairman, Ijebu-Remo Divisional Council, Shagamu.

- (1) Name of Applicant
- (2) Tribe of Applicant
- (3) Age of Applicant
- (4) Address of Applicant
- (5) Class of Licence required
- (6) Description and situation of premises in respect of which the applicant has previously held any licence authorising the sale of liquor which has been forfeited or revoked.

Dated this.....day of.....19....

Fee—Five shillings

.....
Signature of Applicant

FORM B

Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954

APPLICATION FOR THE RENEWAL OF LICENCE

To the Chairman, Ijebu-Remo Divisional Council, Shagamu.

- (1) Name of Applicant
- (2) Class and Number of Licence held
- (3) Description and situation of the premises licensed
- (4) Whether any conviction has been endorsed on the current licence since it was issued, and if so the particulars of each endorsement.

Dated this.....day of.....19....

Fee—Five shillings

.....
Signature of Applicant

FORM C

Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954

CERTIFICATE OF IJEBU-REMO DIVISIONAL COUNCIL
FOR THE GRANT OR RENEWAL OF LICENCE

TO ALL PERSONS CONCERNED :

This is to certify that the application of.....
of.....for a.....licence
in respect of.....having been considered by
the Council at a meeting held on the.....day of.....19....
the Council have directed that the aforesaid licence may be issued to the said
.....in respect of the said premises :
subject to the following special conditions to be endorsed on the licence
and to be observed by the Licensee :—

Dated this.....day of.....19....

.....
Ijebu-Remo Divisional Council

FORM D

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

TAVERN LICENCE

.....of.....
is hereby licensed to sell by retail intoxicating liquor other than trade spirits
on.....to be consumed on the said premises.
(Description and situation of premises)

This licence is issued subject to the provisions of the Ijebu-Remo
Divisional Council (Liquor Licensing) Bye-laws, 1954, and to the following
conditions :—

- 1.
- 2.
- 3.

Dated this.....day of.....19....
Fee—£25

.....
Licensing Officer

FORM E

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

WINE AND BEER OFF LICENCE

.....of.....
is hereby licensed to sell by retail wine and beer on.....
to be consumed elsewhere than on the said premises.

This licence does not authorise the sale of wine or beer containing more
than twenty per cent alcohol, and is issued subject to the provisions of the
Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954, and to
the following conditions :—

Dated this.....day of.....19....
Fee—£3

.....
Licensing Officer

FORM F

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

WINE AND BEER ON LICENCE

.....of.....
is hereby licensed to sell by retail wine and beer on.....
to be consumed on the said premises.

This licence does not authorise the sale of wine or beer containing more
than twenty per cent of pure alcohol, and is issued subject to the provisions
of the Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954,
and to the following special conditions :—

Dated this.....day of.....19....
Fee—£7 10s

.....
Licensing Officer

FORM G

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

GENERAL RETAIL LIQUOR LICENCE

..... of
is hereby licensed to sell by retail intoxicating liquor on
to be consumed elsewhere than on the said premises.

This licence is issued subject to the provisions of the Ijebu-Remo
Divisional Council (Liquor Licensing) Bye-laws, 1954, and to the following
special conditions :—

Dated this day of 19.....

Fee—£20

.....
Licensing Officer

FORM H

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

HOTEL LIQUOR LICENCE

..... of
is hereby authorised to sell by retail on
(Description and situation of the hotel premises)
intoxicating liquor other than trade spirits :—

(a) on any day and at any hour, to persons sleeping on the said premises
to be consumed thereon :

(b) to persons taking meals on the said premises to be consumed thereon
with the meals during the hours in which the sale of liquor is allowed
under a tavern licence.

This licence is issued subject to the provisions of the Ijebu-Remo
Divisional Council (Liquor Licensing) Bye-laws, 1954, and to the following
special conditions —

- 1.
- 2.
- 3.

Dated this day of 19.....

Fee—£25

.....
Licensing Officer

FORM I

*Ijebu-Remo Divisional Council (Liquor Licensing)
Bye-laws, 1954*

CLUB LIQUOR LICENCE

..... of
being the of the Club known
as and situate at
is hereby authorised to sell intoxicating liquor, other than trade spirits to
members of the said Club to be consumed on the club premises.

FORM I—*continued*

This licence is issued subject to the provisions of the Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954, and to the following special conditions :—

- 1.
- 2.
- 3.

Dated this day of 19....

Fee—£25 in the case of a proprietary club.

£5 in the case of a member's club.

.....
Licensing Officer

FORM J

Ijebu-Remo Divisional Council (Liquor Licensing)

Bye-laws, 1954

TEMPORARY LIQUOR LICENCE

(1) Description.

..... of
being the holder of a (1) licence to sell intoxicating liquor by retail is hereby licensed subject to the provisions of the Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954, to sell intoxicating liquor by retail at between the hours of and on the following days. (2) subject to the special restrictions and conditions endorsed on the back hereof.

(2) State number of days not exceeding three.

Dated this day of 19....

Fee—£3 : £2 ; £1 as the case may be.

.....
Licensing Officer

FORM K

Ijebu-Remo Divisional Council (Liquor Licensing)

Bye-laws, 1954

STORE LIQUOR LICENCE

..... of
is hereby licensed to sell by retail intoxicating liquor other than trade spirits on to be consumed elsewhere than (Descriptions and situation of premises) on the said premises.

This licence is issued subject to the provisions of the Ijebu-Remo Divisional Council (Liquor Licensing) Bye-laws, 1954, and to the following special conditions :—

- 1.
- 2.
- 3.

This licence expires on the 31st day of December, 19....

Dated this day of 19....

Fee—£12 10s

.....
Licensing Officer

W.R.L.N. 167 of 1954*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of the powers conferred upon the Governor by section 16 of the Dogs Ordinance, which powers have been delegated to Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies Ife Town Declaration and Prohibition Order, 1954, and shall apply to the area within two miles radius of the Afin, Ife.
2. The Ife Town of Oyo Province is hereby declared to be a diseased area.
3. The removal of dogs from the diseased area to any other area or from any other area into the diseased area is hereby prohibited.
4. All dogs shall be kept under control by means of a leash.
5. Any dog found not under control shall be seized and taken to the Health Office, Ife.
6. Any dog so taken may be destroyed if in the opinion of the Veterinary Officer or the Senior Health Officer it may be suspected of rabies or of having been exposed to infection of rabies.
7. Where the owner of any dog found at large claims such dog within seven days, the dog—if not destroyed under section 4 of this Order—may be restored to the owner upon payment by him of the expenses incurred in its maintenance and detention. If the owner refuses or neglects to pay such expenses, the dog may be destroyed forthwith.

MADE at Oyo this 27th day of October, 1954.

J. H. BEELEY,
Acting Resident, Oyo Province

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W.R.L.N. 168 of 1954*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of powers conferred upon the Governor of the Western Region by section 16 of the Dogs Ordinance, which powers have been delegated to the Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Warri Township and Urban Area) Declaration and Prohibition (Revocation) Order, 1954.
2. The Rabies (Warri Township and Urban Area) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Warri this 22nd day of October, 1954.

J. R. BROMAGE,
Acting Resident, Delta Province

16770/6



W.R.L.N. 169 of 1954*ORDER made under THE DOGS ORDINANCE**(Cap. 56)*

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 Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Asaba Town) Declaration and Prohibition (Revocation) Order, 1954, and shall come into operation on the 5th day of November, 1954.

2. The Rabies (Asaba Town) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Benin City this 5th day of November, 1954.

H. L. M. BUTCHER,
Resident, Benin Province

64

W.R.L.N. 170 of 1954*ORDER made under THE DOGS ORDINANCE**(Cap. 56)*

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 Residents, Western Region, the following Order is hereby made :—

1. This Order may be cited as the Rabies (Ibusa Clan Council Area) Declaration and Prohibition (Revocation) Order, 1954, and shall come into operation on the 5th day of November, 1954.

2. The Rabies (Ibusa Clan Council Area) Declaration and Prohibition Order, 1954, is hereby revoked.

MADE at Benin City this 5th day of November, 1954.

H. L. M. BUTCHER,
Resident, Benin Province

64



Supplement to the Western Regional Gazette No. 53, Vol. 3, 2nd December, 1954 Part—C

The following Bill, which will in due course be presented to the Western Regional Legislature for enactment, is published for general information.

By His Excellency's Command,

W. M. MILLIKEN,
Acting Secretary to Government

Ibadan, 30th November, 1954.

THE EDUCATION LAW, 1954

ARRANGEMENT OF SECTIONS

PART I.—PRELIMINARY

SECTION

1. Short title.
2. Interpretation.

PART II.—REGIONAL ADMINISTRATION

3. Delegation of functions of Minister.
4. Power to hold inquiries.
5. Establishment of Regional Advisory Board of Education.
6. Establishment of committees.

PART III.—THE STATUTORY SYSTEM OF PUBLIC EDUCATION

7. The statutory system.

PART IV.—LOCAL EDUCATION AUTHORITIES

8. Appointment of local education authorities.
9. Duties and powers of local education authorities.
10. Certain expenditure not to be incurred without consent of the Minister.
11. Establishment of education committees.
12. Composition of education committees.
13. Right of Director to attend meetings of local education authorities and education committees.
14. Failure of education authority to discharge functions.
15. Employment of staff.
16. Revocation of orders and adjustments of assets and liabilities.
17. Transitory provisions.

PART V.—GENERAL PROVISIONS RELATING TO EDUCATION

18. Pupils to be educated in accordance with the wishes of their parents.
19. Provisions relating to race, language and religion in public institutions.
20. Secular instruction in public institutions.
21. General provision for religious instruction in public schools.
22. Curriculum of public schools to include religious worship and instruction.
23. Religious instruction in voluntary agency institutions.
24. Religious instruction in community schools.
25. Pupils excused from attendance at religious worship or instruction.

26. Certain conditions of attendance not to be required.
27. Registration of pupils at institutions.
28. Offences.
29. Power to make regulations.

PART VI.—FREE PRIMARY EDUCATION

30. Interpretation.
31. Primary school age.
32. Duty of parent to secure education of his children.
33. Education of children over seven on the 1st of January, 1955.
34. Tuition and other services in public primary schools to be free.
35. Sections 32 and 34, not to apply in certain cases.
36. Native courts to have jurisdiction over certain offences.

PART VII.—POWERS OF THE MINISTER IN RELATION TO THE ESTABLISHMENT AND CONTINUANCE OF INSTITUTIONS

37. Government institutions.
38. Register of private institutions.
39. Opening of new institutions.
40. Proprietors of institutions to notify changes.
41. Power to withhold consent to open new institutions.
42. Provisions with respect to existing institutions.
43. Powers of Minister to close institutions.
44. Discontinuance of public institutions.
45. Discontinuance of private institutions.
46. Transfer of institutions to new sites and substitution of new institutions for old ones.
47. Power of Minister to unite institutions.
48. Minister may acquire land by agreement.
49. Restriction of the use of premises of public institutions.
50. Exemption from building bye-laws of buildings approved by the Minister.
51. Power to make regulations.

PART VIII.—MANAGEMENT OF GOVERNMENT AND PUBLIC INSTITUTIONS

52. Government institutions.
53. Constitution of managers and governors and conduct of public institutions.
54. Grouping of public primary and secondary modern schools under one management.
55. Membership of body of managers.
56. Minutes of proceedings of managers and governors.
57. Transitory provisions.
58. Powers of Minister in default of managers or governors.
59. Power to make regulations.

PART IX.—TEACHERS

60. Interpretation.
61. Registration of teachers.
62. Appointment and dismissal of teachers in public institutions.
63. Married women not to be disqualified from teaching in public institutions.
64. Religious opinions not to disqualify from teaching in community institutions.
65. Establishment and constitution of a terms of service committee.
66. Establishment and constitution of teachers' council.
67. Allegations of misconduct against teachers.
68. Reference of cases of grave misconduct to teachers' council.

69. Orders of prohibition and suspension.
70. Rescission of orders of prohibition and suspension.
71. Appeals to the Governor in Council.
72. Misconduct by a dismissed public officer who was a teacher.
73. Penalty for teaching whilst under order of prohibition or suspension.
74. Power to direct teachers to areas where emergency exists.
75. Duties of Minister and local education authorities as to training of teachers.
76. Power to make regulations.

PART X.—INSPECTION OF INSTITUTIONS

77. Inspection of institutions.
78. Appointment of inspectors.
79. Removal of inspectors.
80. Duties of inspectors.
81. Power of local education authority to cause inspections.
82. Saving as to religious instruction.
83. Penalty for obstructing an inspector.
84. Power to make regulations.

PART XI.—FINANCIAL PROVISIONS

85. Grants in aid of educational services.
86. Loans may be granted for building purposes.
87. Expenses of Ministers.
88. Contributions between local education authorities.

PART XII.—SUPPLEMENTARY PROVISIONS

89. Education of pupils requiring special educational treatment.
90. Power to make regulations in respect of ancillary services.
91. Restrictions on certain literature, etc., in institutions.
92. Power of Minister to prevent unreasonable exercise of functions.
93. Determination of disputes and questions.
94. Compulsory acquisition of land.
95. Regulations to be laid before the legislature.
96. Provisions as to evidence.
97. Saving for persons of unsound mind.
98. Amendment of enactments.
99. Repeal of Ordinance 17 of 1952.



"the Board" means the Regional Advisory Board of Education established under the provisions of section 5 of this Law ;

"child" means a person who is not over primary school age ;

"class for religious instruction" means a class or assembly of not less than ten persons receiving instruction in religious subjects and no other instruction save such as may be prescribed ;

"community institution" and "community school" mean an institution or school, as the case may be, owned and maintained by a local education authority ;

"primary school age" has the meaning assigned to it by section 31 of this Law ;

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

"Director" means the public officer for the time being lawfully discharging the duties of the Director of Education for the Region ;

"employed in the service of public education" means employed by a local education authority or a local authority for the purposes of education or employed by a voluntary agency in a post in respect of which a grant is made by the Regional Government or a local education authority or a local authority ;

"functions" includes powers and duties ;

"Gazette" means the *Western Region of Nigeria Gazette* ;

"government institution" means an institution owned and maintained by the Government of the Western Region ;

"Governor" means Governor of the Western Region ;

"higher institution" means a secondary school, training college, technical institute or trade centre ;

"institution" means an assembly of not less than ten persons assembled for the purpose of receiving regular instruction in any form of education whatsoever and includes a school but does not include any class for religious instruction ;

"literacy class" means a class or assembly of not less than ten persons receiving elementary instruction in reading, writing and numbers according to a syllabus approved by the Minister ;

"local authority" means a divisional or district council established under the provisions of the Western Region Local Government Law, 1952, a native authority established under the provisions of the Native Authority Ordinance or the local authority for a second class township, together with his advisory board, established under the provisions of the Townships Ordinance ;

"local education authority" means a local education authority appointed in accordance with the provisions of section 8 of this Law ;

"maintain" in relation to an institution means conduct the institution and defray the expenditure thereof (whether or not the institution is assisted) ;

"the Minister" means the Regional Minister to whom responsibility for education is assigned in accordance with section 119 of the Constitution Order ;

Law No. 1
of 1953.

Cap. 140.

Cap. 216.

“the Minister of Finance” means the Regional Minister to whom responsibility for financial matters is assigned in accordance with section 119 of the Constitution Order ;

“the Minister of Local Government” means the Regional Minister to whom responsibility for local government is assigned in accordance with section 119 of the Constitution Order ;

“the Ministry” means the Ministry of Education for the Region and includes the Education Department of the Region ;

“nursery school” means a school which is used mainly for the purpose of providing education for persons who have attained the age of two years but have not attained the age of six years ;

“parent” in relation to any child means the person who has the lawful custody of the child ;

“premises” in relation to any institution includes any detached playing fields ;

“prescribed” means prescribed by regulations made by the Minister ;

“primary school” means a school which provides a six year basic course of full time instruction suitable for pupils between the age of six years and twelve years ;

“private institution” means an institution which is not a Government or community institution and is not assisted from funds provided by the Government of the Region, a local education authority or a local authority ;

“proprietor” in relation to an institution means the person or authority notified to the appropriate authorities as the proprietor of the institution in accordance with Part VII and includes, until any such notification is made, the person recognised as the proprietor immediately before the appointed day for the purposes of the Education Ordinance, 1952, and the regulations made thereunder ;

Ordinance
of 1952.

“public institution”, “public school”, “public primary school” and “public secondary modern school” mean an institution, school, primary school or secondary modern school, as the case may be, which is assisted out of funds provided by the Government of the Region or a local education authority or a local authority or is maintained by a local education authority or local authority ;

“public officer” has the meaning assigned to that expression in the Constitution Order ;

“pupil” where used without qualification means a person of any age for whom education is provided under this Law ;

“Region” means the Western Region of Nigeria ;

“Regional Government” means the Government of the Western Region of Nigeria ;

“registered pupil” means in relation to any institution a pupil registered as such in the register kept in accordance with the requirements of this Law ;

"school" includes a primary, secondary school or secondary modern school but does not include a Sunday school, a class for religious instruction, a trade centre, a training college or any other institution intended solely for the education of adults ;

"secondary modern school" means a school which provides either a three-year or a four-year course according to a prescribed syllabus of full-time instruction suitable for pupils who have completed the primary school course ;

"secondary school" means a school or a department of an institution classified as such by the Minister to which pupils are admitted after the satisfactory completion of their primary school course and providing a course of full-time instruction based on a syllabus approved by the Minister ;

"special educational treatment" has the meaning assigned to it by paragraph (b) of sub-section (2) of section 9 of this Law ;

"technical institute" means an institution which provides a course or courses of training in vocations, trades or crafts or a course or courses in industrial technology, in commercial subjects or in office arts but does not include a secondary school ;

"trade centre" means an institution the main function of which is to provide a course or courses of training in industrial crafts or trade ;

"training college" means an institution for the training of teachers ;

"voluntary agency" means a person, mission, society, company, corporation or any other body of persons who or which is proprietor of one or more institutions but does not include a local education authority or local authority ;

"voluntary agency institution" and "voluntary agency school" mean an institution or school, as the case may be, of which a voluntary agency is the proprietor.

(2) Nothing in this Law shall apply in relation to any institution referred to in item 19 of Part I of the First Schedule to the Constitution Order or in relation to any institution owned or maintained by the Government of the Federation of Nigeria pursuant to any power conferred by or under any item of the same Schedule or in relation to any teacher employed in any such institution.

(3) Where proceedings are taken against any person in respect of any offence against any of the provisions of this Law, such proceedings and any conviction or sentence imposed shall be without prejudice to any proceedings other than criminal proceedings which may be taken against such person under any other provision of this Law.

(4) Where power is conferred by the provisions of this Law on any person to appoint a public officer to perform any function or to be a member of any Board, Committee or Council, such appointment may be made by name or by reference to an office.

PART II.—REGIONAL ADMINISTRATION

3. (1) It shall be lawful for the Minister to delegate to a public officer of the Ministry all or any of the functions conferred upon him by or under the provisions of this Law :

Delegation of functions by Minister.

Provided that nothing herein contained shall authorise the Minister to depute any person to make regulations under any power conferred upon him by this Law.

(2) Any such delegation may be made either generally or in respect of any particular function or matter and shall be in writing and, when made generally, shall be published in the Gazette.

(3) Any such delegation shall be revocable at the will of the Minister and no such delegation shall prevent the exercise by the Minister of any function so delegated.

4. The Minister may cause an inquiry to be held for the purpose of the exercise of any of his functions under this Law, and the provisions of sections 14, 15 and 16 of the Western Region Local Government Law, 1952, shall have effect with respect to any such inquiry as if the Minister were the Regional Authority for the purpose of those sections.

Power to hold Inquiries.

Law No. 1 of 1953.

5. (1) There shall be established a Regional Advisory Board of Education (hereinafter referred to as "the Board") which shall advise the Minister upon such matters connected with educational theory and practice as it thinks fit and upon any questions referred to it.

Establishment of Regional Advisory Board of Education.

(2) The Board shall consist of the following members, who shall be appointed by the Minister —

(a) five members appointed from amongst the public officers of the Ministry ;

(b) ten members, of whom at least two shall be women, selected from amongst persons who appear to the Minister to represent the interests of local education authorities ;

(c) ten members, of whom at least two shall be women, selected from amongst persons who appear to the Minister to represent the interests of voluntary agencies which are the proprietors of institutions in the Region ;

(d) one member selected from amongst persons who appear to the Minister to represent the interests of private institutions ;

(e) two members selected from amongst persons who appear to the Minister to represent the interests of the Nigerian Union of Teachers.

(3) (a) Before appointing any member to represent the interests of local education authorities, the Minister shall consult with the Minister of Local Government.

(b) Before appointing any member under paragraph (c), (d) or (e) of sub-section (2) of this section, the Minister shall consult with such persons as appear to him to represent the interests concerned.

(4) The Board may by resolution co-opt as a member any person whose advice it desires to have, but no co-opted member shall be entitled to vote.

(5) The Minister shall appoint a member of the Board to be chairman thereof and shall appoint a public officer of the Ministry, who is not a member, to be Secretary of the Board.

(6) The Permanent Secretary to the Ministry shall have the right to attend any meeting of the Board or of any committee of the Board or of any committee established under the provisions of section 6 of this Law and to take part in the proceedings thereat but he shall not vote on any matter.

(7) The provisions contained in Part I of the First Schedule shall have effect with respect to the constitution and proceedings of the Board.

Establishment of ad hoc committees.

6. Notwithstanding the provisions of section 5, the Minister may, from time to time, establish separate committees to advise him on any particular matter connected with educational theory or practice, and the membership of such committees shall not be restricted to members of the Board and such committees may be established notwithstanding that the Board has considered the matter.

PART III.—THE STATUTORY SYSTEM

The statutory system of education.

7. (1) The statutory system of public education shall be organised in three stages, that is to say, primary education, post-primary education and further education.

(2) Primary education shall consist of the education for which provision is made in Part VI of this Law.

(3) Post-primary education shall consist of the education to be provided, in accordance with this Law, in secondary schools and secondary modern schools.

(4) Further education shall consist of :—

(a) full-time and part-time education for persons over compulsory school age in institutions other than secondary schools or secondary modern schools ; and

(b) leisure-time occupation in such organised cultural training and recreative activities as are suited to their requirements for any persons over primary school age who are able and willing to profit by the facilities provided for that purpose.

PART IV.—LOCAL EDUCATION AUTHORITIES

Appointment of local education authorities.

8. (1) The Minister may, with the concurrence of the Minister of Local Government, by order, appoint a local authority to be the local education authority for the area over which it exercises authority.

(2) In the exercise of its functions as a local education authority, a local authority shall, except as may be otherwise expressly provided by this or any other Law, be subject to and have all the functions conferred or imposed upon it by the provisions for the time being in force of any Ordinance or Law under which it was established and of any other Ordinance or Law having effect with respect to such local authority.

9. (1) A local education authority shall—

Duties and powers of local education authorities.

(a) from time to time prepare and submit to the Minister, in such form and within such time as he may require, an estimate of the needs of its area for securing—

(i) that there shall be sufficient primary schools available to accommodate all pupils of primary school age within its area ;

(ii) that there shall be sufficient secondary modern schools available to accommodate such pupils within its area above primary school age and under the age of sixteen years as are able to benefit from the instruction to be provided in such schools and wish to attend them ;

(b) maintain such existing public primary schools and secondary modern schools of the authority and establish and maintain such new public primary schools and secondary modern schools as the Minister may direct ;

(c) assist with the prescribed grant such voluntary agency primary or secondary modern schools within its area as the Minister may direct ;

(d) assume the management of any schools within its area when so directed by the Minister in accordance with the provisions of section 58 ;

(e) establish and maintain such institutions for the training of teachers or provide or assist in providing such facilities for the training of teachers as may be required by any direction of the Minister under section 75 ;

(f) furnish the Minister with such advice relative to education within its area and with such information, returns, accounts and estimates as he may require ;

(g) ensure, by inspection, that the premises of every public primary and secondary modern school situated within its area conform to the standards prescribed ; and

(h) perform such other duties as are imposed upon it by or under this Law.

(2) A local education authority may, with the approval of the Minister and of the Minister of Local Government—

(a) establish, maintain or assist nursery schools and secondary schools within the area of its authority ;

(b) provide for pupils who suffer from any disability of mind or body, either in special schools or otherwise, special educational treatment, that is to say, education by special methods appropriate for persons suffering from such disability or disabilities ;

(c) make such provision for conducting or assisting the conduct of research as it appears to the authority to be desirable for the purpose of improving the educational facilities provided for its area ;

(d) organise, or participate in the organisation of, conferences for the discussion of questions relating to education and expend such sums as may be reasonable in paying or contributing towards any expenditure incurred in connection with conferences for the discussion of such questions including the expenses of any person authorised by the authority to attend any such conference ;

(e) make such arrangements for the provision of transport, and otherwise as it considers necessary, for the purpose of facilitating the attendance of pupils at public primary schools within the area of its jurisdiction ;

(f) for the purpose of securing adequate facilities for recreation and social and physical training, establish, maintain and manage or assist in the establishment, maintenance and management of camps, holiday classes, playing fields, play centres and other places (including playgrounds, gymnasiums and swimming baths not appropriated to any institution) at which facilities for recreation and for such training as aforesaid are available for pupils in attendance at institutions situated within its area of authority and may organise games, expeditions and other activities for such persons and may defray or contribute towards the expenses thereof ; and

(g) establish, maintain or assist trade centres and rural education centres within its area.

Certain expenditure not to be incurred without the consent of the Minister.

10. (1) A local education authority shall not incur expenditure in respect of education, other than expenditure in respect of public primary and secondary modern schools within its area, unless it has satisfied the Minister that it has met or has made adequate financial provision to meet its approved expenditure in respect of such schools and has obtained his consent.

(2) The provisions of sub-section (1) of this section shall be in addition to the provisions of any other Law having effect in relation to a local education authority with respect to the expenditure which may be incurred by such authority.

Establishment of Education Committees.

11. (1) Every local education authority shall, in accordance with the provisions of section 12 of this Law, establish an education committee and may authorise such education committee to perform on its behalf any function imposed or conferred upon it with respect to education by the provisions of this Law, except the power to borrow money or to raise a rate.

(2) Before performing any function with respect to education, a local education authority shall require a report of the education committee it has so appointed on the exercise of such function and shall consider such report.

12. (1) The constitution of the education committee of a local education authority shall be specified in the order appointing such authority under sub-section (1) of section 8.

Composition
of an
Education
Committee.

(2) Every such order shall, in relation to an education committee, comply with the following provisions :—

(a) the chairman shall be a member of the local education authority ;

(b) not less than one-third of the members shall be members of the local education authority ;

(c) members who are not members of the local education authority shall be known as private members and shall, subject to the provisions of paragraph (e) of this sub-section, be suitable persons with experience and interest in education appointed by the local education authority ;

(d) of any private members to be appointed at least one shall be either a registered teacher or a member of the Nigerian Union of Teachers ; and

(e) not less than one-half of the private members shall be selected from persons who appear to the Minister to represent the interests of the voluntary agencies which are the proprietors of schools situated within the area of authority of the local education authority and shall be appointed after consultation with all such voluntary agencies.

(3) In relation to a local education authority which is—

(a) a native authority appointed under section 7 of the Native Authority Ordinance ; or

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(b) a local government council appointed on the dissolution of a council under sub-section (2) of section 9 or section 10 of the Western Region Local Government Law, 1952,
the provisions of sub-section (2) of this section shall not apply.

Law No. 1 of
1953.

(4) Subject to the provisions of this Law, a local education authority may make, vary and revoke standing orders respecting the proceedings, quorum, summoning and place of meeting of an education committee.

13. (1) The Director or his representative shall have the right to attend any meeting of a local education authority or its education committee and to take part in the proceedings thereat and if he so requests his advice on any matter shall be recorded in the minutes of the meetings, but he shall not vote on any matter.

Right of
Director to
attend
meetings of
local
education
authorities
and
education
committees.

(2) Fourteen days at least before any meeting of its education committee a notice of such meeting, specifying the business to be transacted, shall be delivered or sent by post to the Minister or such public officer or officers of the Ministry as he may direct :

Provided that want of service of such notice on the Minister or any public officer shall not affect the validity of the meeting.

Failure of education authority to discharge functions.

14. (1) If the Minister is satisfied that a local education authority has failed to discharge any duty imposed upon it by the provisions of this Law or any other Law he may by order declare such authority to be in default and may, with the consent of the Minister of Local Government, by the same or any subsequent order give such directions for the purpose of enforcing the execution of the duty as appear to him to be necessary.

(2) If a local education authority fails to comply with any direction contained in an order made under sub-section (1) of this section the Minister may, by order, with the consent of the Minister of Local Government, transfer to such person or authority and for such period as the Minister thinks fit all or any of the functions of the authority under this Law.

(3) When any function of a local education authority is transferred from that authority to another person or authority by an order made in accordance with sub-section (2) of this section—

(a) the local education authority shall cease to exercise that function for the period specified in the order ;

(b) the person or authority to whom the function is transferred shall, in relation to any such function, have all the power and be subject to all the duties conferred or imposed by this Law as if it were a local education authority :

Provided that the Minister may direct that the provisions of sections 11 and 12 shall not apply in relation to such person or authority ; and

(c) the expenses incurred in the execution of the function transferred shall be met by the local education authority in default.

Employment of staff.

15. (1) A local education authority shall not appoint any person to be the chief education officer of the authority without the consent of the Minister.

(2) Subject as aforesaid, the appropriate provisions shall apply in relation to the employment of staff by a local education authority.

(3) In this section "appropriate provisions" means—

Law No. 1 of 1953.

(a) in relation to an authority which is a local government council, the provisions of Part IX of the Western Region Local Government Law, 1952 ;

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Law No. 5 of 1952.

(b) in relation to an authority which is a native authority, the provisions of the Native Authority Ordinance and the Native Authority (Employment of Staff) Law, 1952 ; and

(c) in relation to an authority which is a local authority appointed under the Townships Ordinance, the provisions of that Ordinance. Cap. 216.

16. (1) The Minister may—

(a) upon the variation of an order made under this Part or upon the amendment of an Instrument or a notice of appointment relating to a local authority which is a local education authority, direct that such adjustments be made with respect to the assets and liabilities of that local authority held or incurred solely or mainly for the purpose of its functions as a local education authority under this Law as he shall think fit ;

Revocation of orders and adjustments of assets and liabilities.

(b) upon the revocation of an order made under this Part or upon the revocation of an Instrument or a notice of appointment relating to a local authority which is a local education authority, direct that the assets and liabilities of that local authority held or incurred solely or mainly for the purposes of its function as a local education authority under this Law shall be transferred to and assumed by such local education authority as he may direct.

(2) In this section—

“Instrument” has the meaning assigned to it in section 2 of the Western Region Local Government Law, 1952 ;

Law No. 1 of 1953.

“notice of appointment” means a notice constituting or appointing a local authority under the provisions of the Native Authority Ordinance or the Townships Ordinance.

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17. (1) In any area with respect to which no local education authority is appointed in accordance with section 8 of this Law, the following provisions shall apply—

Transitory provisions.

(a) a local authority may, with the consent of the Minister and the Minister of Local Government—

(i) maintain or assist any existing institution within its jurisdiction ; or

(ii) establish, maintain or assist within its jurisdiction new institutions ;

(b) The Minister may, with the consent of the Minister of Local Government, by order confer on any local authority having jurisdiction therein any of the functions of a local education authority under this Law.

(2) Upon the appointment of a local education authority for an area the functions conferred or imposed upon a local authority in that area by or under sub-section (1) of this section shall cease to be exercisable by such authority.

PART V.—GENERAL PROVISIONS RELATING TO
EDUCATION

Pupils to be educated in accordance with the wishes of their parents.

18. In the exercise and performance of all functions conferred or imposed on them by this Law the Minister and local education authorities shall have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, every pupil shall be educated in accordance with the wishes of his parents and in accordance with his age, ability and aptitude.

Provisions relating to race, language and religion in public institutions.

19. No person shall be refused admission as a pupil to or prevented from attending as a pupil at any public institution on account of the religious persuasion, nationality, race or language of himself or of either of his parents.

Secular instruction in public institutions.

20. (1) Subject to the provisions of this Law, the secular instruction to be given to the pupils in every public institution shall, save in so far as may be otherwise provided by the rules of management or articles of government, be under the control of the Minister.

(2) Save in so far as may be otherwise provided by the rules of management or articles of government for the institution, the power to control the secular instruction provided in any public institution shall include power to determine the times at which the session shall begin and end on any day, to determine the days on which the school terms shall begin and end, to determine the school holidays, and to require that pupils in attendance at the institution shall attend any class not conducted on the premises for the purpose of receiving instruction or training included in the secular curriculum of the institution.

General provision for religious instruction in public schools.

21. No direction shall be given or regulations made as to the secular instruction to be given to pupils in attendance at a public school so as to interfere with the provision of reasonable facilities for religious instruction in the school during school hours ; and no such direction shall be given so as to prevent a pupil from receiving religious instruction in accordance with the provisions of this section during the hours normally set apart for that purpose, unless arrangements are made whereby the pupil shall receive such instruction in the school at some other time.

Curriculum of public schools to include religious worship and instruction.

22. Subject to the provisions of sections 23, 24 and 25 there shall be provided in the curriculum of every public school a reasonable period during which, subject to the wishes of their parents, children of the same religious denomination or faith may together worship and receive religious instruction in accordance with the tenets of such religious denomination or faith.

23. (1) The religious worship and the religious instruction given to any person in attendance as a pupil at a voluntary agency institution shall, subject to the provision of sub-section (2) of this section, be in conformity with the wishes of the proprietor.

Religious instruction in voluntary agency institutions.

(2) If the Minister is satisfied that the parents of any pupils in attendance at a public school of which a voluntary agency is the proprietor desire them to worship and to receive religious instruction in accordance with the tenets of a particular religious denomination or faith he shall direct the proprietor to provide facilities for such worship and religious instruction to be conducted by such person as the Minister may specify during the normal period set apart for the purpose at the school, and the proprietor shall comply with such direction.

24. (1) A local education authority shall give such directions with respect to the religious worship and religious instruction to be given in its community schools as appear to it to be necessary to ensure that pupils in attendance in any such school shall, so far as is practicable, attend such worship or receive such instruction as is in accordance with the wishes of their parents.

Religious instruction in community schools.

(2) If a local education authority is satisfied—

(a) that the parents of pupils in attendance at a community school desire them to worship and receive religious instruction in the school in accordance with the tenets of a particular religious denomination or faith ; and

(b) that satisfactory arrangements have been made for the provision of such instruction to those pupils in the school,

the authority shall, unless they are satisfied that owing to any special circumstances it would be unreasonable so to do, provide facilities for the carrying out of those arrangements.

25. (1) If the parent of any pupil in attendance at any public institution requests that he be wholly or partly excused from attendance at religious worship or religious instruction in the institution, then until the request is withdrawn, the pupil shall be excused from such attendance accordingly.

Pupils excused from attendance at religious worship or instruction.

(2) Where any pupil has been wholly or partly excused from attendance at religious worship or instruction in any public school in accordance with the provisions of this section, and the Minister is satisfied :

(a) that the parent of the pupil desires him to receive religious instruction of a kind which is not provided in the school during the period during which he is excused from such attendance ;

(b) that the pupil cannot with reasonable convenience be sent to another public school where religious instruction of the kind desired by the parent is provided ; and

(c) that arrangements have been made for him to receive religious instruction during school hours elsewhere,
 the pupil may be withdrawn from the school during such periods as are reasonably necessary for the purpose of enabling him to receive religious instruction in accordance with the arrangements :

Provided that the pupil shall not be so withdrawn unless the Minister is satisfied that the arrangements are such as will not interfere with the attendance of the pupil at school on any day except at the beginning or end of the school session on that day.

Certain conditions of attendance not to be required.

26. It shall not be required as a condition of any pupil attending any public institution that he shall attend or abstain from attending, whether in the institution or elsewhere, any Sunday school, or any form of religious worship or observance or any instruction in religious subjects.

Registration of pupils at institutions.

27. The proprietor of every institution shall cause to be kept in accordance with regulations made by the Minister a register containing the prescribed particulars with respect to all persons who are pupils at the institution, and such regulations may make provision for enabling such registers to be inspected, for enabling extracts therefrom to be taken for the purposes of this Law by persons duly authorised in that behalf under the regulations, and for requiring the persons by whom any such register is required to be kept to make to the Minister, and to local education authorities such periodical (or other) returns as to the contents thereof as may be prescribed.

Offences.

28. (1) Any person who contravenes the provisions of section 19 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds.

(2) Any person, being the proprietor of a public institution, who fails to comply with a direction of the Minister given in accordance with the provisions of sub-section (2) of section 23 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds.

Regulations.

29. Subject to the provisions of this Law, the Minister may by regulation make provision with respect to—

(a) the instruction to be given in institutions ;

(b) the arrangements for the admission of pupils to public institutions or for the transfer of pupils from one public institution to another ;

(c) the standards of education to be attained by persons seeking admission to, or concluding their training in, public secondary schools and teacher training colleges ;

(d) the standard to be attained by pupils in any department of any public institution ;

- (e) the examination of pupils in public institutions and the classification of certificates awarded to pupils in any institutions ;
 (f) the discipline of pupils in public institutions (including their removal or withdrawal) ; and
 (g) the fees to be charged in public institutions.

PART VI.—FREE PRIMARY EDUCATION

30. (1) In this Part—

Interpretation.

“child” means a person of primary school age who belongs to the Region ;

“pupil” means a person of any age for whom education is provided under this Part and who belongs to the Region ;

“school year” means such period, not exceeding twelve months, as the Minister may from time to time appoint as the school year for the purposes of primary education.

(2) A person shall be regarded as belonging to the Region for the purposes of this section—

(a) if he or his father was born in the Region and he is, for the time being, resident in the Region ; or

(b) if he and his parent are, for the time being, resident in the Region ; or

(c) if in any school year he is resident in the Region and he has been resident in the Region for a period of twelve months immediately preceding that school year,
 and no other person shall be regarded as belonging to the Region.

(3) No duty imposed by this Part on parents shall be construed as relating to any person who is, for the time being, resident outside the Region.

31. In this Law “primary school age” in relation to any person means any age between the age attained by the person at the commencement of the school year after he attains the age of six years and the age attained by the person at the end of the school year after he attains the age of twelve years and accordingly any person shall be deemed to be of primary school age if at the commencement of any school year he has attained the age of six years and any person shall be deemed to be over primary school age at the end of the school year in which he attains the age of twelve years :

Primary school age.

Provided that a person shall be deemed to be over primary school age if he has attained the age of seven years on the first day of January, 1955.

32. It shall be the duty of the parent of every child of primary school age to cause him to receive efficient full-time education suitable to his age, ability and aptitude either by regular attendance at school or otherwise.

Duty of parent to secure the education of his children.

Education of children over seven on 1st January, 1955.

33. It shall be the duty of the Minister to make arrangements to secure that every person who on the first day of January, 1955, has attained the age of seven years and is a registered pupil at a public primary school shall be afforded an opportunity to receive education at a public primary school, subject to and in accordance with the provisions made by and under this Law, until such person has completed the primary school course.

Tuition and other services in public primary schools to be free.

34. (1) The services provided in a public primary school shall be free of charge, except where the Minister otherwise directs or makes provision by regulation :

Provided that the Minister shall not give any direction or make provision by regulation under this Law for the charging of fees for tuition in a public primary school.

(2) Any person who receives or obtains any fee contrary to the provisions of sub-section (1) of this section shall be guilty of an offence and shall be liable to a fine of one hundred pounds or to imprisonment for six months or to both such fine and imprisonment.

Sections 32 and 34 not to apply in certain cases.

35. The provisions of sections 32 and 34 shall not apply in relation to any person who is resident outside the Region at the time when he attains primary school age and who has not received such education outside the Region as may be prescribed by the Minister.

Native courts to have jurisdiction over certain offences.

36. A native court shall have jurisdiction to enforce within the local limits of its jurisdiction the provisions of section 34 and to impose the punishment specified in that section on persons subject to its jurisdiction who offend against such provisions.

PART VII.—POWERS OF THE MINISTER IN RELATION TO THE ESTABLISHMENT AND CONTINUANCE OF INSTITUTIONS

Government institutions.

37. (1) The Minister may establish unite or discontinue government institutions as he thinks fit.

(2) The following provisions of this Part shall not apply in relation to government institutions.

Register of private institutions.

38. (1) The Minister shall appoint a public officer of the Ministry to be Registrar of private institutions and it shall be the duty of the Registrar to keep a register of all private institutions.

(2) The register kept in accordance with the provisions of this section shall be open to inspection at all reasonable times.

Opening of new institutions.

39. (1) No person shall open a new institution unless—

(a) not less than three months before the date of the establishment of the institution he has furnished the appropriate authorities with information, in the prescribed form, with respect to the following matters :—

(i) the name and address of the proprietor of the institution ;

- (ii) the situation of the institution and plan of the buildings ;
- (iii) the type of institution, the number and type of classes and the medium of instruction proposed ;
- (iv) the numbers, qualifications and nationality of the staff ;
- (v) the nature of the interest in or tenure to the land to be possessed by the proprietor ; and
- (b) prior to the opening of the institution he has obtained the consent of the Minister.

(2) For the purposes of sub-section (1) of this section, the appropriate authorities shall be—

- (a) in the case of a community institution, the Minister or such public officer of the Ministry as the Minister may specify ;
- (b) in the case of a public institution, other than a community institution, the Minister, or such public officer of the Ministry as he may specify, and when such institution is a primary school or secondary modern school the local education authority within whose area of authority the institution is to be situated ;
- (c) in the case of a private institution, the Registrar of private institutions.

(3) Any person who in any return or statement which he is required to make under sub-section (1) of this section knowingly furnishes any information which is false in a material particular shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty pounds.

(4) Any person who opens an institution without having conformed with the provisions of sub-section (1) of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of fifty pounds and in addition to a penalty of two pounds for each day during which the institution remains open.

(5) In this section "public institution" includes an institution intended to be opened in respect of which a grant in aid has been approved under the provisions of regulations made under section 85.

40. The proprietor of an institution shall notify the appropriate authorities of any change occurring in the institution with respect to any matter referred to in sub-section (1) of section 39, within one month of the occurrence thereof.

Proprietors of institutions to notify changes in institutions.

41. The Minister may withhold his consent to the opening of a new institution—

- (a) where the proprietor is not normally resident in Nigeria ; or
- (b) where, in the opinion of the Minister, the proprietor is not a fit and proper person to be in charge of an institution ; or
- (c) where, after an inspection, the Minister is satisfied that the site, buildings or equipment of the proposed new institution are not suitable or adequate for the purpose of the institution ; or

Power to withhold consent to open new institutions.

(d) where the proprietor has not a valid title to the land, or any interest therein on which the institution is situate ; or

(e) where, in the opinion of the Minister, the proposed teaching staff or any one of them have not the qualifications required under this Law ; or

(f) where, in the opinion of the Minister, the proposed number or type of classes is inadequate ; or

(g) where, having regard to any other educational facilities available in the area, the Minister is of the opinion that the proposed institution will not be in the interest of the community to be served :

Provided that the provisions of this paragraph shall not apply to a private institution.

Provisions
with respect
to existing
institutions.

42. (1) With respect to institutions which are being conducted immediately before the commencement of this Law the following provisions shall apply—

(a) every such institution in respect of which a grant in aid was being received under the provisions of the Education (Grant in Aid) Regulations, 1952, for the year of assessment preceding the appointed day shall be deemed, as at the appointed day, to be a public institution established in accordance with this Law ;

(b) every such institution, other than a public institution, shall be deemed, as at the appointed day, to be a private institution ;

(c) the proprietor of every institution deemed to be a private institution shall, within three months from the appointed day, furnish the Registrar of private institutions with information in the prescribed form with respect to the matters specified in sub-section (1) of section 39, and with such other information as the Minister may require :

Provided that the Minister may, by directions in writing, exempt any private institution or class of private institutions from the provisions of this paragraph.

(2) The proprietor of any private institution who fails to comply with the provisions of paragraph (c) of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty pounds.

Powers of
Ministers to
close
institutions.

43. (1) If at any time the Minister is satisfied that an institution is objectionable upon all or any of the following grounds—

(a) that the proprietor is not resident in Nigeria ; or

(b) that an offence against this Law has been committed in respect of that institution ; or

(c) that the proprietor of the institution is not a fit and proper person to be the proprietor of the institution or a teacher employed therein is not qualified to be a teacher in the institution ; or

(d) that the premises or any parts thereof are unsuitable for an institution ; or

(e) that the accommodation provided at the premises of the institution is inadequate or unsuitable having regard to the number, ages and sex of the pupils attending the institution ; or

(f) that efficient and suitable instruction is not being provided at the institution having regard to the age, ability and aptitude of the pupils attending thereat ; or

(g) that the manner in which the institution is conducted is dangerous or potentially dangerous to the physical or moral welfare of the pupils in attendance ; or

(h) in the case of an institution, other than a private institution, that, having regard to any other educational facilities available in the area the institution is not in the interest of the community to be served ;

the Minister shall serve upon the proprietor of the institution a notice of complaint stating the grounds of complaint and specifying the measures necessary in the opinion of the Minister to remedy the matters complained of and the notice shall appoint a time not being less than three months after the service of the notice within which such measures are required to be taken.

(2) If the proprietor fails to comply with the terms of such notice the Minister may order the institution to be closed.

(3) (a) The proprietor of an institution which has been ordered to be closed by the Minister under the provisions of sub-section (2) of this section who fails to close the institution within the time specified shall be guilty of an offence and liable on summary conviction to a fine of fifty pounds, and in addition to a penalty of two pounds for each day during which the institution is opened.

(b) If the offence continues after such conviction, the proprietor shall be liable on summary conviction on a second or any subsequent conviction to a fine of one hundred pounds and in addition to a penalty of two pounds for each day during which the institution is opened or to imprisonment for one year or to such fine, penalty and imprisonment.

44. (1) Subject to the provisions of this section, the proprietor of a public institution shall not discontinue the institution except by leave of the Minister and after serving on the Minister, and in the case of a public primary or secondary modern school on the local education authority in whose area of authority the school is situate, not less than one year's notice of his intention so to do.

Discontinu-
ance of
institutions.

(2) No such notice as aforesaid shall be withdrawn except with the consent of the Minister.

(3) If the Minister grants leave to discontinue an institution, he may impose such requirements as he thinks just—

(a) in regard to the payment of the whole or any part of the amount of the expenditure incurred in respect of the premises by the Regional Government or by a local education authority or local authority since the first day of January, 1954 ;

(b) in regard to the conveyance of the premises to the authority, where the Minister is satisfied that the local education authority or local authority will require, for any purpose connected with education, any premises which are for the time being used for the purposes of the institution, provided such premises are not primarily built and intended for religious worship ;

(c) in regard to the payment by the local education authority of such part of the value of any premises so conveyed as is just having regard to the extent to which those premises were provided otherwise than at the expense of either the Regional Government or of the authority or any local authority ;

(d) where any premises for the time being used for the purpose of the institution are not to be so conveyed, in regard to the payment to the authority by the proprietor of the school of such part of the value of those premises as is just having regard to the extent to which they were provided at the expense of the Regional Government, the authority or any local authority.

(4) If, while any such notice as aforesaid is in force with respect to a voluntary agency institution, the proprietor of the institution informs the Minister that he is unable or unwilling to carry on the institution until the expiration of the notice, the Minister may authorise the local education authority in whose area of authority the institution is situate to conduct the institution during the whole or any part of the unexpired period of the notice as if it were a community institution, and the said authority shall be entitled to the use of the premises of the institution free of charge for that purpose.

(5) In case of any dispute between the Minister and the proprietor in the application of the provisions governing financial settlement in this section, the matter shall be submitted to arbitration and the provisions of the Arbitration Ordinance shall apply.

(6) The proprietor of a public institution who—

(a) discontinues the institution without giving the notice required by this section ; or

(b) discontinues the institution without having obtained the consent of the Minister ; or

(c) fails to comply with any requirement of the Minister under sub-section (3) of this section, shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty pounds.

(7) Where the Minister directs in accordance with sub-section (3) of this section that any sum shall be payable by any person or any local education authority such sum shall be recoverable from that person or local education authority as a civil debt at the suit of the person or authority to whom it is directed to be paid.

45. (1) The proprietor of a private institution shall not discontinue the institution unless he has given not less than three months notice to the Registrar of private institutions of his intention to do so specifying the reasons for such discontinuance.

Discontinu-
ance of
private
institutions.

(2) The proprietor of a private institution who discontinues the institution without giving the notice required by sub-section (1) of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of twenty pounds.

46. (1) Where the Minister is satisfied that it is expedient that any institution should be transferred to a new site either because it is not reasonably practicable to make to the existing premises of the institution the alterations necessary for securing that they should conform to the prescribed standards, or in consequence of any movement of population or of any action taken or proposed to be taken under the enactments relating to housing or to town and country planning, the Minister may authorise the transfer of the institution to the new site ; and any transfer so authorised shall not be deemed, for the purposes of this Law, to constitute the discontinuance of the institution or the establishment of a new institution.

Transfer of
institutions
to new sites,
and substitu-
tion of new
institutions
for old ones.

(2) Where it is claimed that any institution or institutions proposed to be established is or are in substitution for another existing public institution or for two or more such institutions which is or are to be discontinued, then the Minister may by order direct that the institution or institutions proposed to be established shall be established in substitution for the institution or institutions to be discontinued, and where such direction is given, the provisions of this Law relating to the discontinuance of institutions shall not apply with respect to the discontinuance of the institution or institutions to be discontinued.

(3) Before authorising any transfer under this section, the Minister shall consult any local education authority which will, in his opinion, be affected by the making of the order, and any such authorisation may impose such conditions on any such local education authority and may contain such incidental and consequential provisions as the Minister thinks fit.

47. (1) The Minister, if he is of the opinion that the union of any two or more public institutions will conduce to greater economy or efficiency, may direct such union to be effected.

Powers of
Minister to
unite
institutions.

(2) Before making any such direction the Minister shall consult with the proprietors of the institutions affected and with the local education authority or authorities within whose area of authority the institutions are situated.

(3) When the institutions affected by a direction given under sub-section (1) of this section are not in the ownership of one proprietor, the Minister shall give directions—

(a) in regard to the conveyance to the proprietors specified in such direction of any premises of the institutions affected which the Minister is satisfied will be required for the purposes of the new institution ;

(b) in regard to the payment to the proprietor of any institution affected by the Regional Government or the local education authority of such part of the value of any premises so conveyed as is just having regard to the extent to which those premises were provided otherwise than at the expense of either the Regional Government or of the local education authority or any local authority.

(4) If the proprietor of any institution is aggrieved by any direction of the Minister with respect to any compensation for which provision is made in paragraph (b) of sub-section (3) of this section he may require the matter to be submitted to arbitration and the provisions of the Arbitration Ordinance shall apply.

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(5) An arbitrator appointed for the purposes of this section shall, in making any award, have regard to the law for the time being in force relating to the assessment of compensation in respect of land compulsorily acquired.

Acquisition of land by agreement.

48. (1) The Minister, on behalf of Her Majesty, may acquire by agreement, whether by way of purchase, lease, exchange or gift the premises of any institution.

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(2) Any land acquired under the provisions of sub-section (1) of this section may be sold, conveyed, assigned or demised in accordance with the provisions of the Crown Lands Ordinance to a local education authority, and the provisions of section 3 of that Ordinance shall not apply in relation to the sale or conveyance of any such land to a local education authority.

Restriction on the use of premises of public institutions.

49. The premises of a public institution shall not be used for any purpose which in the opinion of the Minister interferes with the purpose for which such institution was established.

Exemption from building bye-laws of buildings approved by the Minister.

50. Where plans for any building required for the purposes of any public institution are approved by the Minister, he may by order direct that any provision of any Law or Ordinance with respect to standards of building or of any bye-law made under such Law or Ordinance shall not apply in relation to the building or shall apply in relation thereto with such modifications as may be specified in the order.

Power to make regulations.

51. (1) Subject to the provisions of this Law, the Minister may by regulation make provision for all or any of the following matters—

(a) the form of the particulars to be furnished to the Registrar of private schools, to the Minister and to the appropriate authorities for the purposes of any of the provisions of this part ;

(b) the procedure with respect to the establishment, discontinuance or transfer to new sites of public or private institutions ;

(c) the standards to which the premises of institutions are to conform ;

(d) the records, accounts and similar documents to be kept in public or private institutions and the returns or information to be supplied by persons and bodies responsible for such institutions.

(2) Regulations made under sub-section (1) of this section may make different provisions for different descriptions of public or private institutions.

(3) With respect to any regulation made under paragraph (c) of sub-section (1) of this section the Minister, if he is satisfied with regard to any institution that in any special circumstances prevailing at the time it would be unreasonable to require conformity with any particular requirement of such regulation, may give a direction that, notwithstanding that that requirement is not satisfied the premises of the institution shall, while the direction remains in force, be deemed to conform to the prescribed standards as regards the matters with which the direction deals.

PART VIII.—MANAGEMENT OF GOVERNMENT AND PUBLIC INSTITUTIONS

52. (1) Every government institution shall be controlled and conducted in accordance with directions issued from time to time by the Minister. Government institutions.

(2) None of the following provisions of this Part shall apply to a government institution.

53. (1) For every public primary or secondary modern school situated within the area of a local education authority and for every public higher institution, there shall be an instrument providing for the constitution of the body of managers or governors of the school in accordance with the provisions of this Law, and the instrument providing for the constitution of the body of managers of a primary or secondary modern school is in this Law referred to as an instrument of management and the instrument providing for the constitution of the body of governors of a public higher institution is in this Law referred to as an instrument of government. Constitution of managers and governors and conduct of public institutions.

(2) The instrument of government shall be made by the Minister and the instrument of management shall be made by the Minister after consultation with the local education authority within whose area of authority the school is situate.

(3) Subject to the provisions of this Law and of any trust deed relating to the institution—

(a) every public primary and secondary modern school situated within the area of authority of a local education authority shall be conducted in accordance with rules of management contained in the instrument of management ; and

(b) every public higher institution shall be conducted in accordance with articles of government contained in the instrument of government, and such articles shall in particular determine the functions to be exercised in relation to the institution by the body of governors, and the head teacher respectively.

(4) An instrument of government or management shall provide—

(a) that any manager or governor at any time may resign his office ; and

(b) that any manager or governor shall be removable by the Minister if the Minister is satisfied that such removal is in the public interest.

Grouping of public primary and modern schools under one management.

54. The Minister may, after consultation with the local education authority within whose area of authority the schools are situate, make a single instrument for any two or more public primary or secondary modern schools and such an instrument may relate exclusively to primary schools or exclusively to secondary modern schools or partly to primary schools and partly to secondary modern schools :

Provided that the Minister shall not make any such instrument of management with respect to a voluntary agency school except after consultation with the proprietor thereof.

Membership of body of managers.

55. Every instrument of management shall provide for the constitution of a body of managers consisting of such number of members not being less than six as the Minister may determine :

Provided that if the instrument of management relates to a voluntary agency school or to two or more such schools all of which are under the proprietorship of the same voluntary agency, two-thirds of the managers shall be nominated by the proprietor of the school or schools concerned :

Provided further that if the instrument of management relates to a community school or to two or more schools all of which are under the proprietorship of the same local education authority the members of the body of management shall be nominated by the authority.

Minutes of proceedings of managers and governors.

56. The minutes of the proceedings of the managers or governors of public institutions shall be open to inspection by such public officers of the Ministry as the Minister may from time to time specify, and in the case of the minutes of the proceedings of the managers of public primary and secondary modern schools by the local education authority in whose area of authority the schools are situated.

57. (1) In relation to any public primary or secondary modern school which is situate in an area for which no local education authority is appointed in accordance with section 8, the following provisions shall apply instead of the provisions of sections 53, 54 and 55—

Transitory provisions.

(a) the constitution of the body of managers in force immediately before the appointed day shall continue to have effect ;

(b) the school shall, subject to the provisions of this Law and of any regulations made thereunder, be managed and conducted in like manner as it was conducted immediately before the appointed day.

(2) Upon the first appointment of a local education authority as aforesaid the provisions of sub-section (1) of this section shall cease to apply to any public primary or secondary modern school situate within its area.

58. (1) If, either upon complaint by any person interested or otherwise, the Minister is satisfied that the managers or governors of any public primary or secondary modern school or any public higher institution have failed to discharge any duty imposed upon them by or under this Law, the Minister may make an order declaring the managers or governors, as the case may be, to be in default in respect of that duty, and giving such direction for the purpose of enforcing the execution thereof as appear to the Minister to be expedient.

Powers of Minister in default of managers or governors.

(2) If the managers or governors declared to be in default fail to comply with the directions contained in an order made in accordance with the provisions of sub-section (1) of this section the Minister may transfer to such person or body and for such period as he thinks fit all or any of the functions of the managers or governors in default.

59. (1) The Minister may by regulation make provision with respect to all or any of the following matters—

Regulations.

(a) the organisation of public institutions ;

(b) the duties, responsibilities and functions of headmasters of public institutions and of bodies of managers and governors, in so far as such duties, responsibilities and functions are not provided for by this Law or in the rules of management or articles of government of the institution concerned.

(2) Regulations made under sub-section (1) of this section may make different provisions for different descriptions of institutions.

PART IX.—TEACHERS

60. In this Part—

“order of prohibition” means an order made under paragraph (a) of sub-section (1) of section 69 ;

“order of suspension” means an order made under paragraph (b) of sub-section (1) of section 69 ;

Interpretation.

“order of rescission” means an order made under sub-section (4) of section 70 ;

“professional misconduct” means such conduct as is prescribed as professional misconduct by regulations made under sub-section (4) of section 67, or deemed to be professional misconduct by section 74.

Registration
of teachers.

61. (1) The Minister shall appoint a public officer of the Ministry to be Registrar of teachers and it shall be the duty of the said Registrar to keep a register of teachers containing the names and classification of all teachers authorised to teach in any institution in the Region.

(2) No person shall teach in any institution in the Region unless he has been enrolled on the register of teachers or after his name has been removed from such register or during any period of suspension.

(3) Any person who contravenes any provision of this section and any proprietor, manager or governor who knowingly permits such contravention shall be guilty of an offence and shall be liable to a fine of five pounds, and to an additional fine of one pound in respect of each day during which such offence continues.

(4) The provisions of this section shall not apply to the teaching of a class of religious instruction or a literacy class by persons other than registered teachers, or, with the approval of the Minister, to the teaching of any particular subject by a person who is not a registered teacher.

(5) Any teacher registered in accordance with the provisions of section 18 of the Education Ordinance, 1952, shall be deemed to be duly registered under this Law.

Appointment
and dismissal
of teachers in
public
institutions.

62. (1) In every community institution, the appointment of teachers shall, save in so far as may be otherwise provided by the rules of management or articles of government for the institution, be under the control of the local education authority, and no teacher in a community primary or secondary modern school shall be dismissed except with the consent of the authority.

(2) Subject to the provisions of this Law, in every public institution of which a voluntary agency is the proprietor the appointment and dismissal of teachers shall be regulated by the rules of management or articles of government for the institution.

(3) The rules of management for every public primary and secondary modern school of which a voluntary agency is the proprietor—

(a) shall make provision for the appointment and dismissal of the teachers by the managers of the school and for enabling the local education authority to determine the number of teachers to be employed ; and

(b) may make such provisions as may be agreed between the local education authority and the managers of the school, or in default of such agreement as may be determined by the Minister, for enabling the authority to prohibit the appointment, without the consent of the authority, of teachers to be employed for giving secular instruction.

63. No woman shall be disqualified for employment as a teacher in any public institution, or be dismissed from such employment, by reason only of marriage.

Married women not to be disqualified from teaching in public institutions.

64. (1) No person shall be disqualified by reason of his religious opinions, or of his attending or omitting to attend religious worship, from being a teacher in any community institution, or from being otherwise employed for the purposes of such an institution and no teacher in such an institution shall be under an obligation to give religious instruction unless he has previously entered into an agreement with the authority for such purpose.

Religious opinions not to disqualify from teaching in community institutions.

(2) Notwithstanding the foregoing provision, it shall be unlawful for any teacher in a community institution to give any form of religious instruction or to disseminate any religious doctrine among pupils contrary to any direction which the local education authority may give in accordance with section 24 of this Law.

(3) No teacher in any community institution shall receive any less emolument or be deprived of, or disqualified for, any promotion or other advantage by reason of the fact that he does or does not give religious instruction or by reason of his religious opinions or of his attending or omitting to attend religious worship.

65. (1) There shall be established a terms of service Committee which shall advise the Minister on the remuneration, terms and conditions of service of teachers who are employed in public institutions and of all persons who are otherwise employed in the service of public education in the Region :

Establishment and constitution of a terms of service Committee.

Provided that it shall not be the function of the Committee to advise the Minister with respect to the remuneration or terms and conditions of service of public officers.

(2) The terms of service Committee shall consist of the following members—

(a) a chairman (who shall be a person who is not a public officer) appointed by the Minister ;

(b) a public officer of the Ministry of Education, appointed by the Minister ;

(c) a public officer of the Ministry of Finance, appointed by the Minister of Finance ;

(d) a public officer of the Ministry of Local Government, appointed by the Minister of Local Government ;

(e) three members selected from persons who appear to the Minister to represent the interests of voluntary agencies, appointed by the Minister after consultation with such representatives of the voluntary agencies which or who are proprietors of institutions situated in the Region as he may think fit ;

(f) three members to represent the interests of local education authorities, appointed by the Minister after consultation with the Minister of Local Government ; and

(g) nine members selected from amongst persons who appear to the Minister to represent the interest of the Nigerian Union of Teachers, appointed by the Minister after consultation with the said Union ;

(3) The Minister shall appoint a public officer of the Ministry and a person nominated by the Nigerian Union of Teachers to be joint secretaries to the terms of service Committee.

(4) The provisions contained in Part II of the First Schedule shall have effect with respect to the constitution and proceedings of the terms of service Committee.

Establishment and constitution of teachers' Council.

66. (1) The Minister shall establish a teachers' Council (in this Part referred to as the Council), to advise on measures necessary to preserve high standards of conduct in the teaching profession and to perform the functions conferred on it by this Part.

(2) The Council shall consist of not less than ten members, appointed by the Minister, of whom at least one shall be a woman.

(3) Members, who shall be teachers registered in accordance with the provisions of this Law or members of the Nigerian Union of Teachers, shall be appointed after consultation with the Nigerian Union of Teachers.

(4) The Minister shall appoint a public officer who is not a member of the Council to be secretary thereof.

(5) The provisions contained in Part III of the First Schedule shall have effect with respect to the constitution and proceedings of the Council.

Allegations of misconduct against teachers.

67. (1) If it is alleged that a teacher, other than a public officer, has, either before or after the appointed day, been guilty of professional misconduct and the Director is of opinion that the charge, if proved, would warrant the prohibition or suspension from teaching of the teacher the Director shall cause such inquiry as he thinks fit to be made into the allegation.

(2) If after such inquiry the Director is satisfied that there is a *prima facie* case of professional misconduct which would warrant the prohibition or suspension from teaching of the teacher—

(a) he shall, in writing, require the teacher to give a written explanation of his conduct ;

(b) he may suspend the teacher from teaching or being employed in any institution in the Region until such time as his case has been adjudicated upon in accordance with the provisions of sections 68, 69 and 71.

(3) The Director shall not proceed with any inquiry under this section with respect to any act of misconduct if he is satisfied that more than three months have elapsed between the discovery of the act by the complainant and the making of the complaint.

(4) The Minister may by regulation, after consultation with the Council, make provision specifying acts which are to be regarded as professional misconduct for the purposes of this section.

68. (1) Where a teacher has, within twenty-one days of a requirement made in accordance with the provisions of section 67, failed to give a written explanation of his conduct or where he has given such a written explanation and it is in the opinion of the Director unsatisfactory, the Director shall forthwith refer the case together with copies of all documents relating to the case in his possession to the Council for its advice.

Reference of cases of grave misconduct to the teachers' Council.

(2) When a case has been referred to it in accordance with the provisions of sub-section (1) of this section, the Council shall hold an inquiry and shall, without undue delay, tender to the Director its advice as to the degree of guilt, if any, of the teacher, and the disciplinary action, if any, that should be taken.

(3) Subject to any regulations made under the provisions of section 76, a teacher shall have the right to appear before the Council at an inquiry under this section into allegations against him.

69. (1) If, after the conclusion of an inquiry held under section 68 and after complying with the requirements of sub-section (2) of this section, the Director is satisfied that an allegation of professional misconduct has been established against a teacher, he may—

Orders of prohibition and suspension.

(a) order that the teacher be permanently prohibited from teaching and from being employed in any institution in the Region ; or

(b) order that the teacher be suspended from teaching and from being employed in any institution in the Region for such period as he may think fit.

(2) Where the opinion of the Director with respect to the guilt of a teacher, or the disciplinary action to be taken is not in agreement with the recommendation of the Council he shall, before making any finding or any order under sub-section (1) of this section, confer with the Council with a view to reaching agreement.

70. (1) A teacher in respect of whom an order of suspension or an order of prohibition has been made may apply in writing to the Director for rescission of such order.

Rescission of orders of prohibition and suspension.

(2) An application for rescission of an order shall not be made until the expiration of—

(a) in the case of an order of suspension, one year from the making thereof ;

(b) in the case of an order of prohibition, two years from the making thereof.

(3) The Director shall, within twenty-one days after the receipt of an application made in accordance with the foregoing provisions of this section, refer the application to the Council for its advice and the Council shall, without delay, tender its recommendation to the Director as to whether the application should be granted or refused.

(4) The Director may, after considering the recommendation of the Council, refuse the application or make an order rescinding the order of prohibition or suspension in question :

Provided that where after considering the recommendation of the Council, the opinion of the Director with respect to the action to be taken is not in agreement with the recommendation of the Council, he shall, before refusing the application or making any order, confer with the Council with a view to reaching agreement.

(5) When the application of a teacher for rescission of an order has been refused in accordance with the provision of sub-section (4) of this section, he may, not earlier than one year after the date of such refusal, make a further application for rescission of that order and the provisions of sub-sections (3) and (4) of this section shall apply in relation to such further application as they apply to an application under sub-section (1) of this section.

Appeals to
the Governor
in Council.

71. (1) Subject to the provisions of this section, any teacher—

(a) in respect of whom an order of prohibition or suspension has been made ; or

(b) whose application for an order of rescission has been refused, may appeal to the Governor in Council.

(2) Notice of an appeal shall be lodged with the Minister within twenty-one days after the publication in the Gazette of the order of prohibition or suspension, or of the refusal of an order of rescission, as the case may be.

(3) The Minister shall, on receipt of a notice of appeal given in accordance with the provisions of sub-section (2) of this section, provide the appellant in writing with the reasons for the order or the refusal of an order as the case may be.

(4) Within twenty-one days after the receipt by the appellant of the document provided by the Minister in accordance with the provisions of sub-section (3) of this section, the appellant shall provide the Minister with a full statement in writing of the grounds for his appeal

(5) The Governor in Council, after considering the statement provided by the teacher in accordance with the foregoing sub-section and the reasons provided by the Minister in accordance with sub-section (3) of this section, may—

(a) in relation to an order of prohibition or suspension, affirm, reverse or vary the order ; or

(b) in relation to the refusal of an order of rescission, affirm the refusal or make an order of rescission.

(6) The decision of the Governor in Council on an appeal made under this section shall be final.

72. (1) Where a person who held a public office in which he was employed as a teacher has been dismissed from that public office for misconduct and the Director is of the opinion that such person's misconduct would warrant the teacher's being prohibited or suspended from teaching and from being employed in any institution in the Region, the Director shall require such person to show cause in writing within twenty-one days why an order of prohibition or suspension should not be made against him.

Grave misconduct by a dismissed public officer who was a teacher.

(2) After the expiration of twenty-one days from the date of a requirement under sub-section (1) of this section, the Director shall refer the case to the Council for its advice and the Council shall, without delay, tender to the Director its recommendation as to the disciplinary action, if any, which should be taken.

(3) The provisions of sections 68 to 71 inclusive shall apply in relation to any proceedings taken under this section and in relation to any teacher against whom such proceedings are taken as they apply in relation to proceedings taken under section 67 and in relation to any teacher against whom proceedings are taken under that section.

73. Any teacher who, while suspended or prohibited in accordance with any order made under section 69 of this Law, acts in contravention of such order, and any proprietor, manager or governor who knowingly employs him in contravention of such order shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding ten pounds, and, in addition, in the case of a continuing offence, to a fine not exceeding one pound in respect of each day during which the offence continues.

Penalty for teaching whilst under order of prohibition or suspension.

74. (1) The provisions of this section shall cease to have effect upon the expiration of six years after the appointed day.

Power to direct teachers to areas where emergency exists.

(2) If the Minister is satisfied that a situation has arisen in any area in which the provisions of this Law cannot be carried out because of lack of teachers serving in that area he may by order declare that an emergency exists with respect to that area.

(3) (a) If an order made under sub-section (2) of this section is in force with respect to any area the Minister may direct in writing that any teacher, not being a public officer, shall teach in such public primary or secondary modern school in that area for such period, not exceeding one year, and upon such terms as he may specify in the direction.

(b) The Minister shall not give a direction under paragraph (a) of this sub-section relating to a married woman who is a teacher except with the consent of her husband.

(4) A teacher who is directed to teach in a place, other than his usual place of residence, shall be entitled to the payment of such allowances in respect of his expenses incurred as a result of the direction as may be prescribed.

(5) Before making any direction of a teacher to a school which is not owned by the proprietor by which the teacher is for the time being employed, the Minister shall consult with the proprietors of the schools from which and to which the teacher is to be directed.

(6) Failure to comply with a direction of the Minister made under sub-section (3) of this section shall be deemed to be professional misconduct for the purposes of section 67.

Duties of
Minister and
local
education
authorities as
to the train-
ing of
teachers.

75. (1) The Minister shall make such arrangements as he considers expedient for securing that there shall be available sufficient facilities for the training of teachers for service in public institutions and for that purpose the Minister may, with the consent of the Minister of Local Government, give to any local education authority such directions as he thinks necessary requiring them to establish, maintain or assist any training college or other institution for the training of teachers for primary and secondary modern schools or to provide or assist in the provision of any other facilities specified in the direction.

(2) Where by any direction given under this section a local education authority is required to perform any such functions as aforesaid, the Minister may give such directions to other local education authorities requiring them to contribute towards the expenses incurred in performing those functions as he thinks just.

Regulations.

76. Subject to the provisions of this Law, the Minister may by regulation make provision with respect to—

(a) the registration of teachers (including, without prejudice to the generality of this expression, the form of the register, the duties of the registrar, the qualifications for registration and the removal of names from the register) ;

(b) the examination of teachers and the classification of certificates given to teachers ;

(c) the instruction to be given in teacher-training institutions ;

(d) for requiring any pupil in, or any person entering, a teacher-training institution to give such security as may be prescribed—

- (i) for the completion of the course of instruction ; or
 (ii) to serve as a teacher in a public institution for such period after completion of the course of instruction as may be prescribed ;
 (e) the procedure of the Council relating to inquiries under section 68 ;
 (f) the classification of teachers and other persons in the service of public education to be employed in public institutions :
 Provided that no regulations made under this paragraph shall apply in relation to public officers ;
 (g) the salary scales, allowances and terms and conditions of service of teachers and other persons to be employed in public institutions :
 Provided that no regulations made under this paragraph shall apply in relation to public officers ;
 (h) the allowances to be paid under sub-section (4) of section 74.

PART X.—INSPECTION OF INSTITUTIONS

77. It shall be the duty of the Minister to cause inspections to be made of every institution at such intervals as appear to him to be appropriate, and to cause a special inspection of any such institution to be made whenever he considers such an inspection to be desirable.

Inspection
of
institutions.

78. For the purpose of enabling such inspections to be made, the Governor may appoint suitable persons being public officers or otherwise as Inspectors, and such Inspectors as are not public officers shall be styled Honorary Inspectors.

Appointment
of
Inspectors.

79. An Inspector who is not a public officer shall not be removed except by the Governor in Council on the ground of proved misbehaviour or incapacity ;

Removal of
Inspectors.

Provided that he may at any time by notice in writing addressed to the Governor resign his office.

80. (1) An Inspector may be required to perform all or any of the following functions :—

Duties of
Inspectors.

- (a) provide the Minister with a knowledge of institutions and their potentialities and with expert views on educational matters ;
 (b) assess and report on the efficiency of an institution by inspection ;
 (c) offer all possible assistance to teachers in maintaining educational progress ;
 (d) supervise, assess and report on the arrangements for the training of teachers ;
 (e) maintain a thorough knowledge of educational developments through study research and travel and advance educational progress by the compilation of pamphlets and handbooks on general or particular aspects of education ;

(f) establish and maintain relations with local and national industrial and commercial enterprises and professional bodies so as to enable the Minister to secure training schemes suitable in type and volume to their needs.

(2) An Inspector who is a public officer may in addition to the functions enumerated in sub-section (1) of this section be required to perform any function which the Governor may from time to time specify.

Power of local education authority to cause inspections.

81. Any local education authority may cause an inspection to be made of any educational institution maintained or assisted by the authority, and such inspections shall be made by officers appointed by the local education authority.

Saving as to religious instruction.

82. The religious instruction given in a voluntary agency institution shall not be subject to inspection, but may be inspected under arrangements made for that purpose by the managers or governors of the school.

Penalty for obstructing an Inspector.

83. If any person obstructs any person authorised to make an inspection in pursuance of the provisions of this Part in the execution of his duty, he shall be liable on summary conviction to a fine not exceeding twenty pounds, or, in the case of a second or subsequent conviction, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such imprisonment and such fine.

Power to make regulations.

84. The Minister may by regulation make provision with respect to—

(a) the conduct of the inspection of institutions ;

(b) the making of reports of inspections and the notification of the contents or any part of the contents of a report to any person affected ;

(c) the manner in which any person affected by a report may notify the authority to whom it is made that he disputes any fact or opinion contained in the report.

PART XI.—FINANCIAL PROVISIONS

Grants in aid of educational services.

85. (1) The Governor in Council may by regulation make provision—

(a) for the payment by the Minister to local education authorities of annual grants in respect of the expenditure incurred or to be incurred by such authorities in the exercise of any of their functions relating to education other than their functions relating to the medical inspection and treatment of pupils ;

(b) for requiring local education authorities to make such payments to voluntary agencies or bodies approved by the Minister in respect of expenditure incurred or to be incurred for the purposes of educational services provided by them or under their management authority as may be prescribed ;

(c) for the payment by the Minister to voluntary agencies and to other persons or bodies (other than local education authorities) approved by the Minister of grants in respect of expenditure incurred or to be incurred for the purposes of educational services provided by them or on their behalf or under their management or for the purposes of educational research ;

(d) for the payment by the Minister, for the purpose of enabling pupils to take advantage without hardship to themselves or their parents of any educational facilities available to them, of the whole or any part of the fees and expenses payable in respect of children attending schools at which fees are payable, and of sums by way of scholarships, exhibitions, bursaries and other allowances in respect of pupils over primary school age, including pupils undergoing training as teachers.

(2) Regulations made by the Governor in Council under this section may make provision—

(a) whereby the making of payments by the Minister or by a local education authority in pursuance thereof is dependent upon compliance with the provisions made by or under this Law relating to public institutions ;

(b) for withholding any instalment of any grant in pursuance thereof or cancelling any such grant where—

(i) the provisions made by or under this Law relating to public institutions are not being complied with ; or

(ii) any payment made to the grantee is not being applied for the purposes for which the grant was made.

(3) The Minister may make grants in accordance with regulations made under paragraphs (a), (c) and (d) of sub-section (1) of this section to the extent that the necessary funds are provided by the Regional Legislature.

86. (1) (a) A local authority which is a local education authority may, with the approval of the Minister, from time to time raise loans within Nigeria for the purposes of their functions under this Law.

Provisions relating to loans.

(b) Subject to the provisions of paragraph (a) of this sub-section, the provisions of any enactment under which a local authority is established relating to the raising of loans by such authority shall apply in relation to the raising of loans under the power conferred by this section as it applies to the raising of loans under the enactment under which the authority is established.

(2) The Minister may make regulations prescribing the conditions upon which voluntary agencies may raise loans for the purpose of building premises to be used as public institutions and such regulations may make provision for prohibiting the raising of loans for such purposes except with the approval of the Minister.

Expenses of
Ministers.

87. Any expenses incurred by the Minister or by the Minister of Local Government in the exercise of their functions under this Law shall be defrayed out of monies provided by the Regional Legislature.

Contributions
between local
education
authorities.

88. (1) Where a child who belongs to the area of a local education authority is receiving instruction as a pupil in a public primary school situated within the area of some other local education authority, then, if a claim therefor is made within the prescribed period, that other authority shall, subject as hereinafter provided, be entitled to recover from the authority such contributions as may be determined by agreement between the authorities concerned, or in default of such agreement by the Minister, such contribution to be equal to the cost to the other authority of providing for the education :

Provided that if in the case of any child the Minister is satisfied that there was no sufficient reason why the education provided for him should not have been provided by the authority for the area to which he belongs, the Minister may, on the application of that authority, direct that no contribution shall be recoverable in respect thereof under this sub-section.

(2) For the purposes of this section a child shall be deemed to belong to the area in which his parent resides :

Provided that if the parent of the child cannot be found or has no place of residence in the Region, the child shall be deemed to belong to the area of the local education authority in whose area he was born.

(3) If it is impracticable to determine under the provision of the last foregoing sub-section to what area a child belongs, he shall be treated as belonging to such area as may be determined by agreement between the local education authorities concerned, or in default of such agreement by the Minister.

(4) Nothing in this section shall be construed as preventing the payment by agreement between local education authorities of contributions in respect of functions performed by one authority on behalf of another in cases where the authority by whom the functions are performed is not entitled to recover contributions under this section.

PART XII.—SUPPLEMENTARY PROVISIONS

Education of
pupils
requiring
special
educational
treatment.

89. (1) The Minister may make regulations defining the several categories of pupils of primary school age requiring special educational treatment and making provision as to the special methods appropriate for the education of pupils of each category.

(2) Any arrangement made by a local education authority or a voluntary agency for the special educational treatment of pupils of any such category shall, so far as is practicable, provide for the education of pupils in whose case the disability is serious in special schools appropriate for that category, but where that is impracticable, or where the disability is not serious, the arrangements may provide for the giving of such education in any public school.

(3) The Minister may by regulations make provision as to the requirements to be complied with by any school as a condition of approval of the school as a special school, and as to the withdrawal of approval from any school which fails to comply with requirements so prescribed.

(4) The regulations made under this section with respect to special schools shall be such as to secure that, so far as is practicable, every pupil in attendance at any such school will attend religious worship and religious instruction or will be withdrawn from attendance at such worship or instruction in accordance with the wishes of his parent.

90. The Minister may by regulation make provision—

(a) for the physical welfare and, with the concurrence of the Minister responsible for Public Health, for the medical inspection of pupils in public institutions ; and

(b) for the supply of meals and other refreshments for pupils in attendance at public institutions.

Power to make regulations in respect of ancillary services.

91. (1) The Minister may by order prohibit the use or possession, by any person in any institution, of any book, newspaper, document or other printed or written matter of a subversive or immoral nature, or any film, picture, or other visual aid of such description.

(2) Any person who, in any institution, uses or causes or permits to be used, or is found in possession of any article, the use or possession of which has been prohibited by the Minister in accordance with the provisions of sub-section (1) of this section, shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds.

Restriction on use and possession of certain literature, pictures, etc., in institutions.

92. If the Minister is satisfied, either on complaint by any person or otherwise, that any local education authority or the managers or governors of any public institution have acted or are proposing to act unreasonably with respect to the exercise of any function conferred or imposed by or under this Law, he may, notwithstanding any enactment rendering the exercise of the power or the performance of the duty contingent upon the opinion of the authority or of the managers or governors, give such directions as to the exercise of the power or the performance of the duty as appear to him to be expedient.

Power of Minister to prevent unreasonable exercise of functions.

Determina-
tion of
disputes and
questions.

93. (1) Save as otherwise expressly provided by this Law, any dispute between a local education authority and the managers or governors of any institution with respect to the exercise of any function conferred or imposed by or under this Law, may, notwithstanding any enactment rendering the exercise of the power or the performance of the duty contingent upon the opinion of the authority or of the managers or governors, be referred to the Minister ; and any such dispute so referred shall be determined by him.

(2) Any dispute between two or more local education authorities as to which of them is responsible for the provision of education for any pupil, or whether contributions in respect of the provision of education for any pupil are payable under this Law by one local education authority to another, shall be determined by the Minister.

Compulsory
acquisition
of land.
Law No. 1
of 1953.

94. A local government council which is a local education authority may acquire land, compulsorily or by agreement, subject to and in accordance with Part XVII of the Western Region Local Government Law, 1952, for the purposes of their functions under this Law and such purposes shall be deemed to be "local government purposes" in relation to any such council in construing Part XVII of the Western Region Local Government Law, 1952.

Regulations
to be laid
before the
Legislature.

95. (1) Any regulation made by the Minister under the provisions of this Law (except regulations made under sub-section (4) of section 67 or paragraph (g) of section 76), shall be made after consultation with the Board, and, in so far as such regulations give powers to or impose duties upon local education authorities, with the consent of the Minister of Local Government.

(2) All regulations made under this Law shall be laid before both Houses of the Regional Legislature as soon as may be after they are made.

Provisions
as to
evidence.

96. In any legal proceedings any document purporting to be—

(a) a document issued by a local education authority, and to be signed by the clerk of that authority or by the chief education officer of that authority or by any other officer of the authority authorised to sign it ;

(b) an extract from the minutes of the proceedings of the managers or governors of any public institution, and to be signed by the chairman of the managers or governors or by their clerk ;

(c) a certificate giving particulars of the attendance of a pupil at a public institution, and to be signed by the head teacher of the institution ; or

(d) a certificate issued by a medical officer signed by such an officer ;

shall be received in evidence and shall, unless the contrary is proved, be deemed to be the document which it purports to be, and to have been signed by the person by whom it purports to have been signed,

without proof of his identity, signature, or official capacity, and any such extract or certificate as is mentioned in paragraph (b), (c) or (d) of this section shall be evidence of the matters therein stated.

97. No power or duty conferred or imposed by this Law on the Minister, on local education authorities, or on parents shall be construed as relating to any person who is for the time being the subject of an order made under section 13 of the Lunacy Ordinance.

Saving for persons of unsound mind.
Cap. 121.

98. The enactments mentioned in the first column of the Second Schedule shall have effect subject to the amendments specified in the second column of that Schedule.

Amendment of enactments.

99. The Education Ordinance, 1952, is hereby repealed.

Repeal of Ordinance 17 of 1952.

FIRST SCHEDULE

(SECTIONS 5, 65 AND 66)

PART I

Provisions relating to the Constitution and Proceedings of the Regional Advisory Board of Education

1. Subject to paragraph 3 of this Part, a member of the Board shall hold office for a period of three years from the date of his appointment :

Tenure of office of members.

Provided that whenever the seat of a member becomes vacant under the provisions of paragraph 3 of this Part, any person appointed to fill the vacancy thereby caused shall vacate his seat at the expiration of the remainder of the term of office of the person in whose place he is appointed.

2. A person who has vacated his office as a member of the Board shall be eligible for re-appointment.

Eligibility for re-appointment.

3. (1) The seat of a member of the Board appointed by name shall become vacant—

Vacation of office.

(a) upon his death ; or

(b) if without having previously obtained the leave of the Minister, he be absent from the meetings of the Board or from Nigeria, for a continuous period of twelve months ; or

(c) if he be declared a bankrupt under any law in force in any part of Her Majesty's dominions or any territory in which Her Majesty has from time to time jurisdiction ; or

(d) if in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in any territory in which Her Majesty has from time to time jurisdiction he be sentenced to imprisonment, by whatever name called, for a term exceeding six months ; or

(e) if by the order of any competent authority he becomes disqualified by reason of misconduct from practising as a legal or medical practitioner or a teacher in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in which Her Majesty has from time to time jurisdiction ; or

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

(g) if by writing under his hand addressed to the Minister he resigns his seat ; or

(h) if he otherwise ceases to possess qualification for appointment under the provisions of this Law.

(2) (a) The Minister may remove from office any member who has in his opinion ceased to represent the interest in respect of which he was appointed.

(b) Before removing any member in accordance with the provisions of this sub-paragraph the Minister shall consult with such persons as appear to him to represent the interests concerned.

Temporary
Members of
Board.

4. (1) Whenever any member of the Board is temporarily absent from Nigeria or is unable to attend any meeting of the Board by reason of sickness or from any other unavoidable cause, by a like appointment, a temporary member may be appointed to take the place of the member so absent.

(2) Such appointment shall terminate when the circumstances giving rise to such appointment cease to exist.

Meetings of
the Board.

5. (1) The Board shall meet at such times and places as the Minister or chairman may appoint ; and in any event shall meet not less than once in every six months unless by resolution it decides otherwise.

(2) A meeting of the Board shall be convened if ten or more members make a request in writing to that effect to the chairman, specifying the business to be transacted.

(3) Fourteen days at least before a meeting of the Board a summons to attend the meeting, specifying the time and place appointed therefor and signed by the Secretary, shall be left at or sent by post to the usual place of residence of every member of the Board :

Provided that want of service of the summons on any member of the Board shall not affect the validity of a meeting.

Quorum.

6. The chairman (or in his absence the member appointed to preside) and six other members, of whom not less than four shall be members who are not public officers of the Ministry, shall form a quorum.

Chairman
to preside.

7. At every meeting the chairman, if present, shall preside and in his absence such member of the Board as the Minister shall appoint shall preside.

Voting.

8. (1) Every question which comes before the Board for decision shall be decided by a majority of the votes of the members present and voting.

(2) The member presiding at any meeting shall have a vote and, in the event of an equality of votes, a casting vote.

Vacancies.

9. No act or proceedings of the Board shall be questioned on account of any vacancy among its members.

Delegation
of functions.

10. (1) The Board may delegate in writing, subject to any limitations contained in such delegation, any of its functions to special committees appointed by it, and the Board may appoint such advisory committees as may from time to time be considered necessary.

(2) The Board shall appoint the chairman of any such committee.

(3) No delegation made under this paragraph shall prevent the exercise by the Board of any function so delegated.

11. Minutes shall be kept of the proceedings of the Board and any such minutes shall, if signed by a person purporting to have acted as chairman of a meeting to which the minutes relate, or of a meeting at which they were read, be evidence of the proceedings of the first mentioned meeting. Minutes.

12. Subject as aforesaid, the Board may make standing orders governing its procedure and the procedure of any committee appointed by it and especially with regard to the holding of meetings, the proceedings thereat, the keeping of minutes and the opening, keeping, closing and auditing of accounts. Standing Orders.

PART II

Provisions relating to the Constitution and Proceedings of the terms of Service Committee

1. Subject to paragraph 3 of this Part, a member of the Committee shall hold office for a period of three years from the date of his appointment : Tenure of office of members.

Provided that whenever the seat of a member becomes vacant under the provisions of paragraph 3 of this Part, any person appointed to fill the vacancy thereby caused shall vacate his seat at the expiration of the remainder of the term of office of the person in whose place he is appointed.

2. A person who has vacated his office as a member of the Committee shall be eligible for re-appointment. Eligibility for re-appointment.

3. (1) The seat of a member of the Committee appointed by name shall become vacant— Vacation of office.

(a) upon his death ; or

(b) if without having previously obtained the leave of the Minister, he be absent from the meetings of the committee or from Nigeria, for a continuous period of twelve months ; or

(c) if he be declared a bankrupt under any law in force in any part of Her Majesty's dominions or any territory in which Her Majesty has from time to time jurisdiction ; or

(d) if in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in any territory in which Her Majesty has from time to time jurisdiction he be sentenced to imprisonment, by whatever name called, for a term exceeding six months ; or

(e) if by the order of any competent authority he becomes disqualified by reason of misconduct from practising as a legal or medical practitioner or a teacher in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in which Her Majesty has from time to time jurisdiction ; or

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

(g) if by writing under his hand addressed to the Minister he resigns his seat ; or

(h) if he otherwise ceases to possess qualification for appointment under the provisions of this Law.

(2) (a) The Minister may remove from office any member who has in his opinion ceased to represent the interest in respect of which he was appointed.

(b) Before removing any member in accordance with the provisions of this sub-paragraph the Minister shall consult with such persons as appear to him to represent the interests concerned.

Temporary members of Committee.

4. (1) Whenever any member of the Committee is temporarily absent from Nigeria or is unable to attend any meeting of the Committee by reason of sickness or from any other unavoidable cause, by a like appointment, a temporary member may be appointed to take the place of the member so absent.

(2) Such appointment shall terminate when the circumstances giving rise to such appointment cease to exist.

Meetings of the Committee.

5. (1) The Committee shall meet at such times and places as the chairman shall appoint.

(2) Thirty days at least before a meeting of the Committee a summons to attend the meeting specifying the time and place appointed therefor and signed by one of the secretaries, shall be left at or sent by post to the usual place of residence of every member of the Committee :

Provided that want of service of the summons on any member of the Committee shall not affect the validity of a meeting.

Quorum.

6. The Chairman, or in his absence the person appointed to be chairman, and nine members shall form a quorum.

Presiding at meetings.

7. The chairman, if present, shall preside at any meeting of the Committee, and in his absence such member as the Committee may elect for the meeting.

Voting.

8. (1) All decisions of the Committee shall be made at a meeting thereof and shall be by vote of the majority of members present and voting on the question.

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

Standing Orders.

9. Subject as aforesaid, the Committee may make standing orders governing its procedure and the procedure of any committee appointed by it and especially with regard to the holding of meetings, the proceedings thereat, the keeping of minutes and the custody and production for inspection of such minutes.

PART III

Provisions relating to the Constitution and Powers of the Teachers' Council

Tenure of office of members.

1. Subject to paragraph 3 of this Part, a member of the Council shall hold office for a period of three years from the date of his appointment :

Provided that whenever the seat of a member becomes vacant under the provisions of paragraph 3 of this Part, any person appointed to fill the vacancy thereby caused shall vacate his seat at the expiration of the remainder of the term of office of the person in whose place he is appointed.

Eligibility for re-appointment.

2. A person who has vacated his office as a member of the Council shall be eligible for re-appointment.

Vacation of office.

3. The seat of a member of the Council shall become vacant—

(a) upon his death ; or

(b) if without having previously obtained the leave of the Minister, he be absent from the meetings of the Council or from Nigeria, for a continuous period of twelve calendar months ; or

(c) if he be declared a bankrupt under any law in force in any part of Her Majesty's dominions or any territory in which Her Majesty has from time to time jurisdiction ; or

(d) if in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in any territory in which Her Majesty has from time to time jurisdiction he be sentenced to imprisonment, by whatever name called, for a term exceeding six months ; or

(e) if by the order of any competent authority he becomes disqualified by reason of misconduct from practising as a legal or medical practitioner or a teacher in any part of Her Majesty's dominions or in any territory under Her Majesty's protection or in which Her Majesty has from time to time jurisdiction ; or

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

(g) if by writing under his hand addressed to the Minister he resigns his seat ; or

(h) if he otherwise ceases to possess qualification for appointment under the provisions of this Law.

4. (1) Whenever any member of the Council is temporarily absent from Nigeria or is unable to attend any meeting of the Council by reason of sickness or from any other unavoidable cause, by a like appointment a temporary member may be appointed to take the place of the member so absent. Temporary members of Council.

(2) Such appointment shall terminate when the circumstances giving rise to such appointment cease to exist.

5. (1) When the Council first meets and thereafter whenever the office of chairman becomes vacant, the members of the Council shall elect a chairman from amongst their own members. Election of chairman.

(2) The office of chairman of the Council shall become vacant—

(i) at the commencement of the first meeting of the Council occurring more than twelve months after his election ; or

(ii) if he ceases to be a member of the Council ; or

(iii) if he dies ; or

(iv) if he resigns his office.

6. Subject to the provisions of this Law and of any regulation made under section 76, the Council shall meet at such times and places as the Director or the Chairman may appoint. Meetings of the Council.

7. (1) The chairman, if present, shall preside at any meeting of the Council. Presiding at meetings.

(2) In the absence of the chairman from a meeting such member of the Council as the chairman may appoint shall preside and, in default of an appointment, such member as the Committee may elect for the meeting.

8. The chairman or, in his absence, the person elected or appointed to preside, and four other members shall form a quorum. Quorum.

- Voting.** 9. (1) All decisions of the Council shall be made at a meeting thereof and shall be by vote of the majority of members present and voting on the question.
(2) The member presiding shall have a vote and, in the event of an equality of votes, a casting vote.
- Vacancies.** 10. No act or proceedings of the Council shall be questioned on account of any vacancy among its members.
- Minutes.** 11. Minutes shall be kept of the proceedings of the Council and any such minutes shall, if signed by a person purporting to have acted as chairman of a meeting to which the minutes relate, or of a meeting at which they were read, be evidence of the proceedings of the first mentioned meeting.
- Standing Orders.** 12. Subject as aforesaid, the Council may make standing orders governing its procedure and the procedure of any committee appointed by it and especially with regard to the holding of meetings, the proceedings thereat, the keeping of minutes, the custody and production for inspection of such minutes and the opening, keeping, closing and auditing of accounts.

SECOND SCHEDULE

SECTION 98

<i>Enactment</i>	<i>Section</i>	<i>Amendment</i>
The Native Authority Ordinance (Cap. 140)	10A	<i>Add</i> the following proviso :— “Provided that the provisions of this section shall not apply with respect to any property held by a native authority in its capacity as a local education authority.”
	25	<i>For</i> paragraph (xxv) of sub-section (1) <i>substitute</i> the following :— “(xxv) For the imposition of a rate (to be known as an Education Rate) the proceeds whereof shall be paid to the native authority : Provided that the provisions of this paragraph shall not apply to a native authority whose area of jurisdiction is situate within the area of any local education authority appointed under the provisions of the Education Law, 1954.”
	35A	In sub-section (1) <i>add</i> the following proviso :— “Provided that nothing in this sub-section shall authorise the appointment of an education committee by a native authority which is a local education authority for the purposes of the Education Law, 1954, or shall apply to an education committee appointed under that Law.”
	91A	<i>Add</i> the following proviso :— “Provided that nothing in this section shall authorise the establishment of a joint committee for the purpose of any service for which provision

- The Western Region
Local Government
Law, 1952.
- 2 In the definition of "Primary School" and "Secondary School" for "from time to time in Schedule A of the Education Ordinance, 1952" substitute "in the Education Law, 1954".
- 52 For sub-section (3) substitute :—
 "(3) A committee appointed under this section may include persons who are not members of the council :
 Provided that at least two-thirds of every such committee shall be members of the council."
 After sub-section (4) insert :—
 "(5) Nothing in this section shall authorise the appointment of an education committee by a council which is a local education authority for the purposes of the Education Law, 1954, or shall apply to an education committee appointed under that Law."
- 71 Delete paragraphs (21) and (24).
- 75 Insert after sub-section (3) :—
 "(4) Nothing in this section shall apply in relation to any function conferred or imposed upon a Council under the provisions of the Education Law, 1954."
- 149 After sub-section (2) insert :—
 "(3) Nothing in this section shall authorise the establishment of a joint committee for the purpose of any service for which provision is made in the Education Law, 1954, by a Council which is a local education authority appointed under that Law."
- 221 Add the following proviso :—
 "Provided that the provisions of this section shall not apply to any lands, buildings or other property held by a local authority or a native authority solely or mainly for the purposes of its functions as a local education authority under the Education Law, 1954."
- 228 Add the following proviso :—
 "Provided that nothing in this section shall apply to any assets or liabilities, of whatever nature, held or incurred by the council solely or mainly for the purposes of its functions as a local education authority under the provisions of the Education Law, 1954."
- The Local Authorities
(Imposition of Education
Rate) Law, 1953.
- 6 In the proviso for "Section 25 of the Education Ordinance, 1952," substitute "the Education Law, 1954."

Objects and Reasons

The primary objects of this Bill are to provide for the establishment in the Region of a statutory system of public education under which free primary education is made available to children of school age who belong to the Region, followed by post primary and further education for those persons who are able and willing to take advantage of them, and secondly to associate local authorities in the administration of the educational system.

2. Part II of the Bill establishes the Regional Advisory Board of Education which will consist of twenty-eight members, including representatives of the Ministry of Education, local education authorities, voluntary agencies, private institutions and the Nigerian Union of Teachers. The members will be appointed by the Minister after consultation with the appropriate interests. The function of the Board will be to advise the Minister on educational theory and practice.

3. Part III of the Bill describes the three stages in the statutory system of education.

4. Part IV of the Bill makes provision for the appointment by the Minister of Education of local government councils, native authorities or township authorities as local education authorities and prescribes the principal powers and duties of such local education authorities and the powers of the Minister in relation to them. Clause 17 authorises local government authorities to provide certain educational services and to carry out any of the statutory functions of a local education authority conferred on them by the Minister, pending the appointment of a local education authority. Clauses 11, 12 and 13 require the appointment of an education committee by each local education authority, and deal with the composition of the committee and the right of the Director of Education to attend meetings of the education authority or its committee.

5. Part V of the Bill deals with the general principles on which the Minister and local education authorities are to act in implementing its provisions, and provides for the control of secular education and for the regulation of religious worship and instruction in public institutions maintained by local education authorities and voluntary agencies.

6. Part VI of the Bill deals with the provision of free primary education for children of primary school age who belong to the Region. Clause 30 defines the meaning of these phrases, which exclude children who are over seven years of age on the 1st of January, 1955. Clause 33 places an obligation on the Minister to provide certain primary education for children who are over seven years of age on the 1st of January, 1955, and are registered pupils in schools. Free education is not to be provided under the Law for children, although they are of primary school age and belong to the Region, if they come from outside the Region after they have attained primary school age and have not received education outside the Region approved by the Minister, and clause 35 makes provision accordingly. Clause 32 places a general obligation on a parent to ensure that his child receives suitable full time education by attending school or otherwise.

7. Part VII of the Bill provides for the powers of the Minister in relation to the opening and discontinuance of institutions. Clause 43 empowers the Minister to close institutions in certain circumstances. Clause 47 empowers the Minister to unite any two or more institutions, whether or not in the proprietorship of one person, and clause 44 empowers the Minister to impose conditions on proprietors discontinuing public institutions in respect of the premises so that their continued use can, if necessary, be ensured: both these clauses provide for the payment of compensation.

8. Part VIII deals with the management of government and public institutions ; it provides for the constitution of a body of managers or governors, according to the nature of the institution under an instrument to be made by the Minister which instrument will also contain provisions as to the appointment of the managers or governors and conduct of the institution.

9. Part IX deals with teachers. Provision is made in this Part for the establishment of a terms of service committee to advise the Minister on the terms and conditions of service of persons employed in the public educational services of the Region, other than public officers, and for the establishment of a teachers council to advise in disciplinary cases against teachers and generally on the maintenance of proper standards of conduct in the teaching profession. Clauses 67 to 71 deal with the procedure in disciplinary cases against teachers. Clause 74 empowers the Minister to direct teachers to areas where the educational system provided for in the Bill is in danger of breaking down through lack of teachers ; these powers are of limited duration only.

10. Part X of the Bill contains provision for the inspection of institutions, the appointment of inspectors and their duties.

11. Part XI of the Bill deals with financial provisions, in particular with the making of regulations under which grants in aid can be made by Government to local education authorities and voluntary agencies and by local education authorities to voluntary agencies.

12. Part XII makes provisions supplementary to the foregoing Parts of the Bill. Clause 98 (together with the second schedule) makes amendments to the enactments relating to local government authorities to bring those enactments into accord with this Bill and with the general purpose of ensuring that the functions of such authorities in relation to education are derived from this Bill. By clause 99 the Education Ordinance, 1952, is repealed.

N. G. HAY,
Attorney-General

Attorney-General's Chambers,
Ibadan,
27th November, 1954



(2) The Governor may grant leave of absence to the Secretary and during any such period of leave or during any temporary absence may appoint a person to act as temporary Secretary.

9. The Secretary shall not be a Member of the Commission and his functions and duties shall be limited to matters of an administrative nature.

MADE at Ibadan this 11th day of December, 1954.

By His Excellency's Command,

W. M. MILLIKEN,
Acting Secretary to Government



W.R.L.N. 171 of 1954**BYE-LAWS made under THE WESTERN REGION LOCAL GOVERNMENT LAW, 1952 (No. 1 of 1953)**

In exercise of the powers conferred upon the Ikenne Local Council by section 71 of the Western Region Local Government Law, 1952, and by Western Regional Public Notice No. 73 of 1953, the following Bye-laws have been made by the Ikenne Local Council with the approval of the Local Government Inspector, Ijebu Province.

1. These Bye-laws may be cited as the Ikenne Local Council (Control of Pigs) Bye-Laws, 1954, and shall apply not only to persons normally subject to the jurisdiction of the Ikenne Local Council but also to all persons whilst within its area.

2. In these Bye-laws :—

“Council” means the Ikenne Local Council ;

“Owner” includes any person owning or keeping or who is in charge of pigs.

3. No pig shall be kept within the area of jurisdiction of the Council except in a pig-sty or enclosed space approved by the Council.

4. The Council may order that pigs shall not be kept in any pig-sty or enclosed space which it considers unsuitable or insanitary, and failure to comply with any such order shall be an offence.

5. No pig shall be allowed to stray on any highway or other public place.

6. It shall be lawful for members of the Nigeria Police Force and of any Local Government Police Force in the area of jurisdiction of the Council and any member or officer of the Council, or for Government Health Staff to capture and detain in a place approved by the Council any pig found straying.

7. A pig detained under bye-law 6 may be redeemed by its owner within five days on payment to the Council of a fee of 1s for each day of detention.

8. All fees paid in accordance with bye-law 7 above shall be paid into the revenue of the Council.

9. A pig which is not redeemed under bye-law 7 within five days shall be sold by public auction. The sum realised from the sale shall be paid to the revenue of the Council.

10. The Council shall issue receipts in respect of all sums received by it under these Bye-laws.

11. Any person contravening bye-laws 3, 4 or 5 of these Bye-laws shall be guilty of an offence and liable to a fine not exceeding five pounds or to one month's imprisonment in default of payment.

MADE by the Ikenne Local Council this 8th day of May, 1954, the common seal of the Council being hereunto affixed in the presence of :—

A. AWOMUTI—*President*
 AYO AKINSANYA—*Chairman*
 E. A. SIONOIKI—*Secretary*

APPROVED by me at Ijebu-Ode this 24th day of June, 1954.

A. J. PHILLIPS,
Local Government Inspector

W.R.L.N. 172 of 1954

*ORDER made under THE DOGS ORDINANCE
(Cap. 56)*

In exercise of the powers conferred upon the Governor by sections 2 and 4 of the Dogs Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Western Region (Application of Ordinance) (No. 2) Order, 1954.
2. The provisions of Part II of the Dogs Ordinance shall apply to the areas in the Western Region as specified in the second column to this Order.
3. The authority for the areas specified in the second column of the Schedule shall be as stated in the third column.

SCHEDULE

<i>Province</i>	<i>Division</i>	<i>Areas</i>	<i>Authority</i>
Benin ...	Asaba ...	The area subject to the jurisdiction of the Aniocha District Council.	The Aniocha District Council.
		Asaba Town	The Asaba Urban District Council.

MADE this 22nd day of November, 1954.

By His Excellency's Command,

W. M. MILLIKEN,
*Acting Secretary to Government,
Secretary to Executive Council,
Western Region*

W.R.L.N. 173 of 1954*RULES made under THE TOWNSHIPS ORDINANCE
(Cap. 216)*

In exercise of the powers conferred upon the Governor by section 47 of the Townships Ordinance, the following Rules are hereby made :—

1. These Rules may be cited as the Townships (Second Class Townships) Short title. (Amendment) Rules, 1954.

2. Rules 3 of 1917 are hereby amended in the following respect :— Amendment
of Rules 3

(1) by the addition at the commencement of Part IV thereof and of 1917. immediately before rule 9 of the following new rule—

“Application. 8A. The provisions of this part shall not apply to cinematograph theatres.”;

(2) by the deletion of the words “Special Rules regarding Cinematograph Displays” where they occur immediately after rule 22 ;

(3) by the revocation of rules 23, 24, 25, 26, 27, 28 and 29.

MADE by the Governor at Ibadan this 22nd day of November, 1954.

By His Excellency's Command.

W. M. MILLIKEN,

Acting Secretary to Government

Secretary's Office.
Ibadan.

W.R.L.N. 174 of 1954*ORDER IN COUNCIL made under THE PUBLIC HEALTH
ORDINANCE (Cap. 183)*

In exercise of the powers conferred upon the Governor in Council by section 2 of the Public Health Ordinance, the following Order in Council is hereby made :—

1. This Order in Council may be cited as the Public Health (Western Region. Application) Order in Council, 1954.

2. All the provisions of the Public Health Ordinance shall apply to and be in force in the rest of the area of the Western Region to which the said provisions have not already been applied.

MADE by the Governor in Council at Ibadan this 6th day of December, 1954.

W. M. MILLIKEN,

Acting Secretary to Government

W.R.L.N. 175 of 1954*The Nigeria Town and Country Planning Ordinance
(Cap. 155)*

In exercise of the powers conferred upon the Governor by sub-section (1) of section 10 of the Nigeria Town and Country Planning Ordinance, the following Order is hereby made :—

Short title.

1. This Order may be cited as the Ife Town Planning Authority (Declaration of Planning Areas Nos 1-5) Order, 1954.

Declaration of Planning Areas.

2. The areas described in the schedule hereto are hereby declared Planning Areas.

SCHEDULE

(a) *Ife Planning Area No. 1.*—Area bounded by Famia Road, Alapata Street up to the junction with Oronna Street and a line running due North to Lagere Street, Lagere Street and by North-West boundary of Seventh-Day Adventist Mission with a line drawn 500 yards parallel to the boundary to a point on Ibadan Road and from there in a straight line southward to a point on Famia Road at an approximately 1,200 yards from junction of Alapata Street (opposite St. Stephen Church) and Famia Road.

(b) *Ife Planning Area No. 2.*—Area North of Lagere-Obalufon Street and 600 yards from there between Seventh-Day Adventist Mission Hospital and footpath passing in front of the Infectious Disease Hospital including the area bounded by Obalufon Street, Ilare Street, Orun Obado-Gbelekan Street, Ireemo Street, to junction of it to Obalufon Street and also area to the South of Lagere Street and West of Itasin to junction of Itasin and Oke Eso Streets and following Alapata Street to a point 67 yards beyond junction with Akarabata Street and from there northerly to Lagere Street.

(c) *Ife Planning Area No. 3.*—The area on the north side of the new Ilesha bye-pass bounded by a line drawn parallel and 600 yards to the bye-pass, Ogbo Ido Street, More Street, including the area bounded by More Street and a line drawn parallel to and 300 yards from it from Ife Town to junction of new Ilesha bye-pass and More Street.

(d) *Ife Planning Area No. 4.*—Bounded by a line 166 yards east of Lakora Alley and parallel to it running 250 yards north and a line drawn approximately south east of the town and 2,614 yards long crossing Aiyegbaju Street and Ogudu road and from there to the boundary of planning area No. 5 and running northerly with it to Okesoda Street and by Okesoda Street, Ajamapo Street, to the junction of Aiyegbaju Street running easterly along Aiyegbaju Street to the end of built-up area.

(e) *Ife Planning Area No. 5.*—The area bounded by Ita Agbon, Omisore Street, Ondo Road, New Ondo bye-pass, Amola Street, Ogunsua Street, and also including an area east of Ondo Road and bounded by it and a line 600 yards from and parallel to Ondo Road.

MADE at Ibadan this 7th day of December, 1954.

J. D. RANKINE,
Governor, Western Region

W.R.L.N. 176 of 1954

The Nigeria Town and Country Planning Ordinance (Cap. 155)

In exercise of the powers conferred upon the Governor by section 11 of the Nigeria Town and Country Planning Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Ife Planning Areas Nos. 1-5 (Interim Development) Order, 1954.

2. Interim Development shall be permitted within the areas described in the Schedule to the Ife Town Planning Authority (Declaration of Ife Planning Areas Nos. 1-5) Order, 1954, with the specific consent of the Ife Town Planning Authority.

MADE at Ibadan this 7th day of December, 1954.

J. D. RANKINE,
Governor, Western Region

W.R.L.N. No. 177 of 1954

*ORDER IN COUNCIL made under THE CHANGE OF TITLES
ORDINANCE (Cap. 30)*

In exercise of the powers conferred upon the Governor in Council by section 4 of the Change of Titles Ordinance, the following Order in Council is hereby made :—

1. This Order may be cited as the Western Region Change of Titles Order in Council, 1954, and shall be deemed to have come into force on the 1st day of October, 1954.

2. The first schedule to the Change of Titles Ordinance is hereby amended by the insertion in the columns of the schedule of the following headings and titles :—

<i>Column I</i>	<i>Column II</i>
ADMINISTRATION	
Clerk of the Executive Council	Secretary to Government.
Financial Secretary	Permanent Secretary.
Development Secretary	Ministry of Finance.
LAND DEPARTMENT	
Regional Land Officer	Commissioner of Lands.
LEGAL DEPARTMENT	
Legal Secretary	Attorney-General.
TREASURY	
Regional Treasurer	Accountant-General.
PUBLIC RELATIONS	
Regional Public Relations Officer ..	Director of Information Services.

MADE by the Governor in Council at Ibadan this 6th day of December, 1954.

W. M. MILLIKEN,
Acting Secretary to Government,
Clerk to Executive Council

W.R.L.N. 178 of 1954

*REGULATIONS made under THE NIGERIA (CONSTITUTION)
ORDER IN COUNCIL, 1954*

In exercise of the powers vested in the Governor by section 180 of the Nigeria (Constitution) Order in Council, the following Regulations are hereby made :—

1. These Regulations may be cited as the Western Region Public Service Commission (Appointments) Regulations, 1954.

2. In these Regulations unless the context otherwise requires—

“the Chairman” means the person appointed under these Regulations as Chairman of the Commission and shall include any temporary Chairman appointed under these Regulations to act during the absence or incapacity of the Chairman ;

“the Commission” means the Western Region Public Service Commission appointed under these Regulations ;

“the Governor” means the Governor of the Western Region acting in his discretion ;

“Member” means any person appointed under these Regulations as Chairman or Member of the Commission, and shall include any person appointed under these Regulations to be a temporary Member ;

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

“public officer” shall have the same meaning as is assigned to this expression in the Order ;

“the Secretary” means the person appointed under these Regulations as Secretary of the Commission.

3. The Governor shall by writing under his hand appoint a Chairman and two other persons to be Members of the Commission.

4. Without prejudice to the power conferred by the order to terminate the appointment of a Member of the Commission at any time the Governor may, if he thinks fit in the Instrument appointing a Member, specify a period not exceeding three years, during which the Member shall hold office. In the event of the death or permanent incapacity of the Chairman or of a Member prior to the expiration of the term of his appointment the Governor shall by writing under his hand appoint a person to be Chairman or Member, as the case may be, of the Commission in place of the person so dying or becoming incapacitated.

5. A Member of the Commission may resign his office on giving six month's notice in writing to the Governor.

6. Any person whose term of office under the foregoing paragraph has expired shall not be ineligible for re-appointment either as Chairman or as a Member by reason only of having previously held office as Chairman or Member.

7. The Governor may grant leave of absence from his duties to the Chairman or to any Member and, during such absence or during any period of incapacity of the Chairman or any Member, may appoint a person to be temporary Chairman or temporary Member as the case may be.

8. (1) The Governor shall appoint a Secretary to the Commission and shall authorise the appointment of such other staff as from time to time shall seem to him to be necessary provided that until such staff is appointed the duties of the Secretary to the Commission and of the officers of the Staff of the Commission shall be performed by such public officers as the Governor may nominate for the purpose.

W.R.L.N. 179 of 1954*REGULATIONS made under THE HOSPITAL FEES
ORDINANCE (Cap. 86)*

In exercise of the powers conferred upon the Governor in Council by section 3 of the Hospital Fees Ordinance, the following Regulations are hereby made :—

1. These Regulations may be cited as the Hospital Fees (Western Region) (Amendment) Regulations, 1954.

2. Regulation 17 of the Hospital Fees Regulations, as amended from time to time, is hereby further amended, in so far as it affects the Western Region, by deleting the colon and by adding the following expression after the word "regulation" in the ninth line thereof—

"or a child or a person suffering from or suspected to be suffering from Tuberculosis."

MADE by the Governor in Council at Ibadan this 15th day of October, 1954.

W. M. MILLIKEN,
Acting Secretary to Government

W.R.L.N. 180 of 1954*The Native Authority Ordinance (Cap. 140)*TEMPORARY APPOINTMENTS : AWORI AREA
NATIVE AUTHORITY

In exercise of the powers conferred upon the Governor, Western Region, by sections 6 and 8 of the Native Authority Ordinance (Cap. 140), the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) (Extension of term of office) Awori Area Native Authority Notice, 1954, and shall be deemed to have come into effect on the 8th day of November, 1954.

2. The following persons are hereby appointed to the office of the Awori Area Native Authority for a period of six months :—

- | | |
|----------------------|------------------------|
| (a) W. I. Brinkworth | (g) Shitta Sunmola |
| (b) P. B. Tanyi | (h) Dauda Ogunlana |
| (c) Kojo Povi | (i) Ashafa Omo-Oba |
| (d) Oseni Martins | (j) Salawu Bello |
| (e) Bako Abu | (k) Shittu S. Bankole. |
| (f) Liadi Idowu | |

3. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 6th day of December, 1954.

By His Excellency's Command.

W. M. MILLIKEN,
*Acting Secretary to Government,
Secretary to Executive Council*

W.R.L.N. 181 of 1954

The Native Authority Ordinance (Cap. 140)

TEMPORARY APPOINTMENTS : EGUN-AWORI AREA
NATIVE AUTHORITY

In exercise of the powers conferred upon the Governor, Western Region, by sections 6 and 8 of the Native Authority Ordinance (Cap. 140), the following Notice is hereby given :—

1. This Notice may be cited as the Native Authorities (Western Region) (Temporary Appointments) (Extension of term of office) Egun-Awori Area Native Authority Notice, 1954, and shall be deemed to have come into effect on the 7th day of November, 1954.

2. The following persons are hereby appointed to the office of the Egun-Awori Area Native Authority for a period of six months :—

- | | |
|----------------------|--------------------------|
| (a) W. I. Brinkworth | (h) Albert Adeyele |
| (b) J. O. O. Samuel | (i) Oba Iworo |
| (c) Bale Tovituhan | (j) Bale Whedesu |
| (d) Olateju Okiyo | (k) Suberu Hunkanlin |
| (e) Bale Pota | (l) Peter Bale Karakunma |
| (f) Chief Aro | (m) A. M. Adebule |
| (g) Marcus Yovoyan | (n) Bale Akoteyan. |

3. During the continuance of this Notice, Western Region Public Notice No. 6 of 1952 shall be construed accordingly.

GIVEN at Ibadan this 6th day of December, 1954.

By His Excellency's Command.

W. M. MILLIKEN,
*Acting Secretary to Government,
Secretary to Executive Council*

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W.R.L.N. 182 of 1954

ORDER made under THE FORESTRY ORDINANCE (Cap. 75)

OGUNPA DAM (IBADAN) FOREST RESERVE

WHEREAS declaration of intention to constitute certain lands described therein as the Ogunpa Dam (Ibadan) Forest Reserve was made in Western Regional Public Notice No. 142 of 1952.

NOW THEREFORE, in exercise of the powers conferred upon the Governor by section 12 of the Forestry Ordinance, the following Order is hereby made :—

1. This Order may be cited as the Ogunpa Dam (Ibadan) Forest Reserve Order, 1954.

2. These lands, the limits and situation of which are set forth in the First Schedule hereto, are, subject to the rights affecting the same as set forth in the Second Schedule hereto, hereby constituted a Government Forest Reserve, which Reserve shall be known as the Ogunpa Dam (Ibadan) Forest Reserve.

FIRST SCHEDULE

All that piece of land containing decimal three three square miles or thereabouts situated in the Ibadan District of Ibadan Division of Ibadan Province and bounded as follows :—

Starting from Beacon PBZ 465 situated on the right hand side of the motor road from Ibadan Town to Oyo a distance of about 3,200 feet South-west of the point where this motor road crosses the railway line from Ibadan to Oshogbo, the approximate co-ordinates of which are $3^{\circ} 54' E$; $7^{\circ} 25' N$ (Nigeria Survey 1,500,000, Sheet 9 of 1949), 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>
PBZ 465	78 degrees 14 minutes	565.9 feet	PBZ 844
PBZ 844	79 degrees 56 minutes	586.0 feet	PBZ 845
PBZ 845	30 degrees	170 feet	ODR 7
ODR 7	65 degrees	250 feet	PBZ 466
PBZ 466	148 degrees 48 minutes	3,273.2 feet	PBZ 471
PBZ 471	254 degrees 32 minutes	229.3 feet	PBZ 983
PBZ 983	256 degrees 15 minutes	678.2 feet	PBZ 982
PBZ 982	252 degrees 56 minutes	304.0 feet	PBZ 981
PBZ 981	235 degrees 33 minutes	203.0 feet	PBZ 980
PBZ 980	219 degrees 22 minutes	517.6 feet	PBZ 979
PBZ 979	221 degrees 46 minutes	293.0 feet	PBZ 978
PBZ 978	222 degrees 52 minutes	376.7 feet	PBZ 977
PBZ 977	195 degrees 58 minutes	535.7 feet	PBZ 976
PBZ 976	222 degrees 54 minutes	150.5 feet	PBZ 975
PBZ 975	258 degrees 04 minutes	843.6 feet	PBN 5931
PBN 5931	353 degrees 01 minute	600.0 feet	PBN 5932
PBN 5932	353 degrees 03 minutes	601.0 feet	PBN 5933
PBN 5933	353 degrees	599.9 feet	PBN 5934
PBN 5934	353 degrees 02 minutes	519.8 feet	PBN 5935
PBN 5935	63 degrees 52 minutes	242.9 feet	ODR 1
ODR 1	69 degrees	109.0 feet	ODR 2
ODR 2	2 degrees	386.0 feet	ODR 3
ODR 3	267 degrees 30 minutes	78.0 feet	ODR 4
ODR 4	352 degrees	343.0 feet	ODR 5
ODR 5	3 degrees 30 minutes	780.0 feet	ODR 6
ODR 6	6 degrees	519.0 feet	Starting point.

All beacons are concrete pillars unless otherwise stated.

Starting from beacon No. PBZ 845 and ending at PBZ 466 and from beacon No. PBN 5935 and ending at PBZ 465, all distances and bearings of ODR beacons are approximate only, the distances being those actually measured along the ground and not reduced to the horizontal. All such bearings refer to True North and are adjusted from Magnetic bearings observed during the month of October 1951.

All distances and bearings in respect of all PBZ beacons were measured and observed during February to November 1929 and in respect of all PBN beacons in September 1954 and all such bearings refer to True North.

SECOND SCHEDULE

Rights

To the Ibadan District Council :—

- (i) All water rights and fishing rights on the said land.
- (ii) Right of entry upon the said lands for the purpose of doing all things necessary for the exploitation and preservation of the water, and for the maintenance of the dam and pipes.

MADE at Ibadan this 11th day of December, 1954.

By His Excellency's Command,

W. M. MILLIKEN,

Acting Secretary to the Government, Western Region

