

The following Bill, which will in due course be presented to the House of Representatives for enactment, is published for general information.

## **A BILL**

**FOR**

**AN ORDINANCE TO PROVIDE FOR THE TRANSFER OF CONTRACTUAL RIGHTS IN RESPECT OF THAT PART OF THE COLONY DEVELOPMENT BOARD'S ACTIVITIES WHICH CONCERNED THE WESTERN REGION, AND FOR PURPOSES CONNECTED THEREWITH.**

Commence-  
ment.  
Preamble.

WHEREAS section 52 of the Nigeria (Constitution) Order in Council, 1954, provides that a law enacted by the Legislature of a Region may confer upon the Federal Legislature authority to make laws for that Region with respect to any matter that would not otherwise be within the legislative competence of the Federation :

AND WHEREAS by section 4 of the Colony Development Board (Federal Legislature) (Enabling) Law, 1957, of the Western Region (in this Ordinance referred to as the Western Region Law) the Federal Legislature is authorized to provide by Ordinance for the transfer of certain contractual rights and obligations relating to that part of the Colony which is included within the Western Region :

NOW, THEREFORE, BE IT ENACTED by the Legislature of the Federation of Nigeria as follows—

Enactment.

1. This Ordinance may be cited as the Colony Development Board (Provisions for Western Region) Ordinance, 1958.

Short title.

Interpreta-  
tion.

Ordinance 14  
of 1949.

W.R. Law  
No. 9 of 1955

Transfer of  
Regional  
assets of  
Colony  
Development  
Board.

## 2. In this Ordinance—

"appointed day" means a date agreed in accordance with section 2 of the Western Region Law and notified in the Gazette of the Federation;

"Colony Development Board" means the Colony Development Board established by section 3 of the Regional Development Boards Ordinance, 1949;

"Corporation" means the Western Region Finance Corporation established in accordance with section 4 of the Finance Corporation and Local Loans Boards Law, 1955, of the Western Region;

"Regional transfer schedule" means the schedule prepared in accordance with section 3 of the Western Region Law.

3. (1) With effect from the appointed day the ownership of the assets specified in the Regional transfer schedule, and all contractual and other rights vested in the Colony Development Board in respect of those assets, shall vest in the Corporation without further assurance, and the Corporation shall in respect of such assets have all the rights and be subject to all the liabilities which the Colony Development Board had or to which the Colony Development Board was subject immediately before the appointed day.

(2) Every agreement relating to assets included in the Regional transfer schedule to which the Colony Development Board was a party shall have effect as from the appointed day as if the Corporation had been a party to the agreement, and as if for any reference to the Colony Development Board there were substituted a reference to the Corporation in respect of anything falling to be done after the appointed day.

(3) Where by the operation of any of the provisions of subsection (1) or (2) any right or liability becomes a right or liability of the Corporation, the Corporation and all other persons shall as from the appointed day have the same rights, powers and remedies (and in particular the same rights, powers and remedies as to the taking or resisting of legal proceedings) for ascertaining, perfecting or enforcing that right or liability as they would have had if the right or liability had at all times been a right or liability of the Corporation, and any legal proceedings pending on the appointed day by or against the Colony Development Board shall be continued by or against the Corporation.

### *Objects and Reasons*

As a result of the 1954 constitutional changes the Colony Development Board found itself with some commitments in the Federal Territory of Lagos and some in that part of the Colony which became part of the Western Region.

Contracts in the Federal Territory, and the right to sue in respect of them, were transferred to the Federal Loans Board by the Industrial Loans (Lagos and Federation) Ordinance, 1956. In respect of contracts relating to the Western Region and the right to sue in respect of them, the Legislature of the Western Region has enacted a Law entitled the Colony Development Board (Federal Legislature) (Enabling) Law, 1957, which gives to the Federal Legislature authority by Ordinance to transfer such items to the Western Region Finance Corporation.

The object of this Bill is to effect such transfer.

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