

Assented to in Her Majesty's name this 18th day of September, 1958.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 34

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

AN ORDINANCE FURTHER TO AMEND THE SHIPPING AND NAVIGATION ORDINANCE
(CHAPTER 206).

[By Notice, see section 1]

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

1. This Ordinance may be cited as the Shipping and Navigation (Amendment) (Deck Passengers) Ordinance, 1958, and shall come into operation upon a date to be notified in the Gazette after the pleasure of Her Majesty has been signified.

2. The Shipping and Navigation Ordinance is amended by the insertion after Part IV of the following new Part—

Title.

Commence-
ment.

Enactment.

Short title
and com-
mencement.

New Part
IVA to
Cap. 206.

"PART IV—CARRIAGE OF DECK PASSENGERSInterpre-
tation.**42A. In this Part—**

"deck passenger" means a passenger, or any member of the crew, or any person taken on board a vessel for the performance of any service thereon or for the purpose of loading or unloading the same—

(a) for whom cabin or dormitory accommodation is not provided, and

(b) who is carried in a steam vessel to a port in Nigeria from a port of embarkation which is within the West African area or from a port in Nigeria to a port of disembarkation which is within such area;

"deck passenger certificate" means a deck passenger certificate issued in accordance with this Part, or deemed so to be issued in accordance with the provisions of section 42G;

"Safety Convention certificate" bears the meaning attributed thereto by subsection (2) of section 22;

"West African area" means any portion of the Coast of West Africa between Cape Verde in the north-west and the mouth of the River Congo in the south-east.

Savings.

42B. Nothing in this Part contained shall apply to any vessel of war in the service of Her Majesty or the Government of any foreign state or of the Government of any independent Commonwealth country or British possession.

Exemption
of certifi-
ed vessels
from certain
require-
ments in
respect of
deck
passengers.

42C. A steam vessel in respect of which there is in force a deck passenger certificate shall be exempt in the territorial waters of Nigeria from the requirements of section 209 of the Merchant Shipping Act, 1894, relating to the carriage of a medical practitioner and from any requirements of the rules for life-saving appliances made under section 427 of that Act, or of any rules or regulations made under the Merchant Shipping (Safety Convention) Act, 1949, in so far as such requirements apply to or are necessitated by the carriage of deck passengers.

Production
of deck
passenger
certificate.

42D. The owner, agent or master of any steam vessel carrying deck passengers to or from any port in Nigeria shall produce a deck passenger certificate to the proper officer of customs and excise on entry and clearance, and shall produce the same to the shipping master on opening articles of agreement.

Penalty.

42E. The owner, agent or master of any steam vessel carrying deck passengers to or from any port in Nigeria without a deck passenger certificate, or contrary to the terms of or without compliance with the requirements of such certificate, shall be liable to a fine of two hundred pounds, and if carrying a number of deck passengers in excess of the number permitted by any deck passenger certificate in force shall in addition be liable to a fine of ten pounds in respect of each such deck passenger in excess.

Vessel without certificate deemed an unsafe ship.

42f. A steam vessel carrying deck passengers to or from any port in Nigeria without a deck passenger certificate, or contrary to the terms of or without compliance with the requirements of such certificate, shall be deemed to be an unsafe ship for the purpose of Part III of this Ordinance, and shall be liable to detention accordingly by reason of defective equipment.

Certificates issued elsewhere in West African area, and U.K. and foreign passenger certificates.

42g. (1) The Governor-General may by notice in the Gazette declare that the provisions of this Part shall take effect in relation to a certificate issued by any authority in the West African area specified in such notice and under the provisions of a law to be so specified and thereupon any such certificate shall be deemed to be a deck passenger certificate issued in accordance with the provisions of this Part.

(2) A steam vessel carrying fourth-class passengers in accordance with all the requirements of a United Kingdom passenger certificate shall be deemed to be in possession of a deck passenger certificate issued in accordance with the provisions of this Part.

(3) For passenger ships in respect of which a Safety Convention certificate exists which has been issued by a country which has an agreement with the United Kingdom for the reciprocal recognition of certificates showing the number of passengers the ship is fit to carry, such certificates as to number shall be accepted in respect of the number of passengers specified therein.

(4) Notwithstanding the provisions of subsections (2) and (3) a deck passenger certificate shall be necessary in respect of any deck passengers who by reason of being employed or engaged in any capacity on board the ship on the business of the ship, or for any other reason, would not be within the definition of passenger for the purposes of a United Kingdom passenger certificate.

Contents of certificate.

42h. A deck passenger certificate—

(a) shall state the permissible number of—

- (i) crew, other than crew carried as deck passengers;
- (ii) passengers having cabin or dormitory accommodation;
- (iii) deck passengers;

(b) shall detail what life saving appliances are prescribed;

(c) shall detail what deck passenger space is prescribed;

(d) shall certify that such vessel has the facilities and is properly equipped for the carriage of deck passengers to the permissible number in accordance with regulations made under section 42k.

Equipment and specifications.

42i. The safety equipment required to be carried by ships carrying deck passengers shall comply with the specifications for such equipment provided for by regulations under section 26 or, in the case of equipment not provided for thereunder, then in accordance with rules applicable to the issue of Safety Convention certificates.

Applicability of certain provisions of Part IV. 42j. Sections 23, 24, 27, 29A, 30 to 33 and 38 of Part IV (relating to the survey of a steam vessel, issue of a certificate thereof, and matters ancillary thereto) shall apply in respect of a survey for the issue of a deck passenger certificate, and to the issue of such certificate and matters ancillary thereto.

Regulations. 42k. The Governor-General may make regulations, which shall be in addition to any other relevant requirements applying to the carriage of deck passengers, to prescribe and provide for the following matters—

(a) the scale of and marking of approved life-boats, surf-boats, buoyancy apparatus, life-buoys and life-jackets;

(b) the specifications of construction, capacity and freeboard of surfboats;

(c) the means to be provided for the utilisation of life-saving apparatus;

(d) efficient lighting of such apparatus and emergency lighting of any adjacent area of deck;

(e) the scale of and types of firefighting appliances to be carried;

(f) sanitary requirements, ventilation, lighting access, shelter, screens, cooking and toilet facilities for deck passengers;

(g) what areas shall be deemed to be deck passenger space and the scale of such space which shall be available for passengers collectively and individually;

(h) the conduct of surveys, rights of surveyors and responsibilities of the master to surveyors;

(i) the fees to be paid in respect of surveys and issue of deck passenger certificate;

(j) the form and method of display of deck passenger certificates.”

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

B. ADE. MANUWA,
Clerk of the House of Representatives

Assented to in Her Majesty's name this 18th day of September, 1958.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 35

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.
Governor-General and Commander-in-Chief

AN ORDINANCE TO MAKE SUPPLEMENTARY PROVISION FOR THE SERVICE OF THE
FEDERATION OF NIGERIA FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY
OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-NINE ADDITIONALLY
TO THAT MADE BY THE APPROPRIATION (1958-59) ORDINANCE, 1958.

Title.

[25th September, 1958]

Commence-
ment.

WHEREAS by the Appropriation Ordinance, 1958 (hereinafter referred to as the Appropriation Ordinance) a sum of Thirty-Eight Million, Two Hundred and Sixty-Seven Thousand, Four Hundred and Eighty Pounds was provided for the service of the Federation of Nigeria for the year ending on the 31st day of March, 1959, to be applied and expended in the manner therein described and for the services set forth in the Schedule :

Preamble.
No. 20
of 1958.

AND WHEREAS certain additional provision is required for the said year for the services set forth in the Schedule to this Ordinance.

Enactment.

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

Short title.

1. This Ordinance may be cited as the Supplementary Appropriation (1958-59) Ordinance, 1958.

Supplementary appropriation of
£1,455,430.
Schedule.

2. The sum of One Million, Four Hundred and Fifty-Five Thousand, Four Hundred and Thirty Pounds set forth in the Schedule hereto shall be appropriated for the services therein set forth in addition to the sum provided by the Appropriation Ordinance as fully as though set forth in the Schedule thereto.

SCHEDULE

	£
21. Governor-General	3,900
22. Office of Governor-General and Council of Ministers	25,250
23. Military Forces	12,310
24. Nigerian Navy	7,610
25. Police	46,190
26. Prime Minister	5,140
27. External Affairs	35,230
28. Nigerianisation Office	6,260
29. Ministry of Communications and Aviation	9,520
30. Posts and Telegraphs	96,580
31. Aviation	11,530
32. Meteorology	20,860
33. Administrator-General	10
34. Ministry of Education	157,260
35. Education	90,670
36. Antiquities	1,750
37. National Archives	2,460
38. Ministry of Finance	7,600
39. Customs and Excise	41,250
40. Inland Revenue	10
41. Treasury	4,550
42. Statistics	11,220
44. Public Debt Charges	500
45. Ministry of Health	4,300
46. Medical	2,200
48. Ministry of Internal Affairs	4,520
49. Prisons	20,250
50. Ministry of Labour and Welfare	58,430
51. Labour	5,640
52. Co-operatives	10
53. Social Welfare	1,370
54. Ministry of Lagos Affairs, Mines and Power	58,620

Carried forward

£753,000

	£
<i>Brought forward</i>	753,000
55. Land	23,780
56. Geological Survey	9,700
58. Valuation Unit	100
59. Ministry of Research and Information	2,800
60. Agriculture (Research)	10
64. Information	16,090
65. Printing and Stationery	25,540
66. Ministry of Commerce and Industry	3,550
67. Commerce and Industries	30
68. Marketing and Exports	13,680
69. Ministry of Transport	142,710
70. Inland Waterways	49,930
72. Ministry of Works and Surveys	1,380
73. Public Works	160,830
74. Public Works Recurrent	198,590
75. Surveys	9,730
76. House of Representatives	4,570
77. Judicial	10
78. Legal	800
79. Public Service Commission	4,250
80. Audit	200
81. Miscellaneous	34,150
Total	<u>£1,455,430</u>

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

B. ADE. MANUWA,
Clerk of the House of Representatives

Assented to in Her Majesty's name this 18th day of September, 1958.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 36

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.
Governor-General and Commander-in-Chief

AN ORDINANCE TO REPEAL THE NIGERIA CENTRAL MARKETING BOARD ORDINANCE, 1955 (No. 1 of 1955), AND TO MAKE NEW PROVISION FOR THE EXPORT OF NIGERIAN PRODUCE.

Title.

[By Notice, see section 1]

Commencement.

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

Enactment.

1. This Ordinance may be cited as the Export of Nigerian Produce Ordinance, 1958, and shall come into operation on a date (hereinafter referred to as the appointed day) to be appointed by the Governor-General by notice in the Gazette.

Short title and commencement.

Interpreta-
tion.

No. 1 of
1955.

Cap. 38.

2. In this Ordinance, unless the context otherwise requires—

"the Board" means the Nigeria Central Marketing Board, constituted under the provisions of the Nigeria Central Marketing Board Ordinance, 1955 ;

"the Company" means the Nigerian Produce Marketing Company Limited, a private company of that name registered or to be registered under the provisions of the Companies Ordinance ;

"export" with its grammatical variations and cognate expressions means to take or cause to be taken out of Nigeria ;

"local processing" means any process or operation which has the effect of altering the character, nature or composition of any produce subject to a Regional Marketing Law from the state in which such produce would customarily be offered for sale for export ;

"the Minister" means the Minister charged with responsibility for matters relating to external trade ;

"produce" includes produce subject to a Regional Marketing Law and any product derived from such produce by local processing ;

"produce subject to a Regional Marketing Law" means produce of a kind which any Regional Marketing Board is by a Regional Marketing Law empowered to purchase for export ;

"product derived by local processing" means any product derived by local processing of any produce subject to a Regional Marketing Board for processing in Nigeria ;

"purchase" with its grammatical variations and cognate expressions includes exchange or barter and any agreement or contract to purchase, exchange or barter ;

"Regional Marketing Board" means the Eastern Regional Marketing Board, the Northern Regional Marketing Board, the Southern Cameroons Marketing Board or the Western Region Marketing Board ;

"Regional Marketing Law" means the Eastern Regional Marketing Board Law, 1954, the Northern Regional Marketing Board Law, 1954, the Southern Cameroons Marketing Board Law, 1954, or the Western Region Marketing Board Law, 1954.

3. The Minister shall have power—

(a) to prescribe grades and standards of quality for produce purchased by the Regional Marketing Boards for export ;

(b) in his discretion, but after such consultation as is prescribed by subsection (2) of section 4, to grant, withhold or cancel licences—

(i) to acquire, subject to the provisions of any Regional Marketing Law, any produce for export ; and

(ii) to export any produce ; and

(c) to require any holder of a licence for the export of produce and any Regional Marketing Board and the servants or agents of any such holder or Board to furnish him with such statistics, estimates, returns or other information relating to produce as in his opinion are necessary for the discharge of his functions under this Ordinance.

E.R. No. 5
of 1954.
N.R. No. 7
of 1954.
S. Cam.
No. 1 of
1954.
W.R. No. 10
of 1954.

Power of
Minister.

4. (1) Before exercising the powers conferred on him by paragraph (a) of section 3, the Minister shall consult with, and obtain the advice of, the Company, the Produce Inspection Board and the Regional Marketing Boards.

Duty of consultation.

(2) Before first exercising any of the powers conferred on him by paragraphs (b) and (c) of section 3, and as often as he shall deem necessary thereafter, the Minister shall consult with the Government of any Region from which produce with respect to which the power is to be exercised is derived as to the general principles on which the Minister is to act in the exercise of the said powers.

5. It shall be lawful for the Minister—

(a) to grant to the Company an exclusive licence to acquire from a Regional Marketing Board for export and to export any kind of produce purchased by such Regional Marketing Board, other than produce derived by local processing;

Powers relating to grant of licences to export produce.

(b) to attach to a licence to export produce such conditions as he may think fit, and in particular to specify the territory or territories to which the licence shall authorise produce to be exported.

6. (1) From and after the appointed day no person shall export any produce except under and in accordance with the terms of a licence granted by the Minister.

Prohibition of export of produce without licence.

(2) Any person who contravenes or attempts to contravene the provisions of subsection (1) shall be liable on conviction to a fine of five hundred pounds or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(3) Where an offence mentioned in subsection (2) is committed by a body corporate and such offence has been committed on the direction 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.

7. (1) The Minister may depute any of the following officers by name or office, subject to such conditions, exceptions and qualifications as the Minister may prescribe, to sign any licence or other document issued in exercise of the powers conferred upon the Minister by section 3—

Power of delegation.

(a) the Permanent Secretary having supervision over the departments of government which are under the control of the Minister;

(b) any officer who comes directly under the authority of such Permanent Secretary;

(c) any officer of any of such departments of Government.

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

Power to make regulations.

8. The Minister may make regulations prescribing—

(a) the form of application for a licence to acquire or export produce;

(b) the form of a licence to acquire or export produce;

(c) the statistics, estimates, returns or other information to be furnished to him in accordance with paragraph (c) of section 3; and

(d) any other matter which is by this Ordinance required to be prescribed.

Transfer of
assets and
liabilities of
Board.

9. (1) Upon the appointed day all the assets and liabilities of the Board, wherever situate, other than the assets referred to in subsection (2), shall be transferred to and shall vest in the Company by virtue of this section and without further assurance.

(2) Any records or other assets maintained or acquired by the Board for purposes which will hereafter be the responsibility of the Minister under the provisions of this Ordinance shall be transferred to and vest in the Government of the Federation by virtue of this section and without further assurance.

(3) All deeds, bonds, instruments and contracts subsisting immediately before the appointed day to which the Board is a party shall be of as full force and effect against or in favour of the Company, and enforceable as fully and effectually as if, instead of the Board, the Company had been a party thereto.

Repeal No. 1
of 1955.

10. (1) The Nigeria Central Marketing Board Ordinance, 1955, is repealed with effect from the appointed day, with the exception of Part VII thereof and the Fourth Schedule thereto (hereinafter referred to as the Winding-up Provisions).

(2) When a notice has been published in the Gazette in accordance with section 16 of the said Fourth Schedule in respect of each of the old Boards therein referred to, the Winding-up Provisions shall be repealed.

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

B. ADE. MANUWA,
Clerk of the House of Representatives

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 37

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

**AN ORDINANCE TO AMEND THE VETERINARY SURGEONS ORDINANCE, 1952
(No. 30 OF 1952).**

[1st November, 1958]

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

1. This Ordinance may be cited as the Veterinary Surgeons (Amendment) Ordinance, 1958, and shall come into operation on the 1st day of November, 1958.

Title.

Commence-
ment.

Enactment.

Short title
and com-
mencement.

Amendment
of section 3
of No. 30 of
1952.

2. Section 3 of the Veterinary Surgeons Ordinance, 1952 (hereinafter referred to as the principal Ordinance) is amended—

(a) by the deletion in subsections (1) and (2) of the word "five" and the substitution in each case of the following—

"six";

(b) by the deletion in paragraph (b) of subsection (2) of the word "two" and the substitution thereof of the following—

"three".

Insertion
of new
section 14A.

3. The principal Ordinance is amended by the insertion after section 14 of the following new section—

"Provisions
in respect
of persons
not holding
prescribed
qualifica-
tions.

14A. (1) There shall be established a Board to be called the Board of Examiners, which shall consist of two or more registered veterinary surgeons to be appointed by the Council.

(2) The Board shall have power—

(a) to investigate applications for registration from persons not holding qualifications prescribed under this Ordinance;

(b) to examine any individual applicant if it considers that his qualifications do not in themselves afford sufficient assurance of his suitability.

(3) If the Board is satisfied as to the suitability of an applicant for registration notwithstanding that he does not hold the qualifications prescribed in accordance with section 11 then subject to compliance with section 12 the Board may so recommend to the Minister who may authorise and require the Registrar to insert the name of such applicant in the Register."

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

B. ADE. MANUWA,
Clerk of the House of Representatives

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 38



1958

Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.
Governor-General and Commander-in-Chief.

AN ORDINANCE TO AMEND THE WEIGHTS AND MEASURES ORDINANCE (CHAPTER 228 OF THE REVISED EDITION OF THE LAWS, 1948).

Title.

[By Notice, see section 1]

Commence-
ment.

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

Enactment.

1. This Ordinance may be cited as the Weights and Measures (Amendment) Ordinance, 1958, and shall come into operation upon a date to be appointed by the Governor-General by notification in the Gazette.

Short title
and
commence-
ment.

Repeal and
replace-
ment of
section 14 of
Cap. 228.

2. Section 14 of the Weights and Measures Ordinance is repealed and the following section is substituted therefor—

"Inspector
of Weights
and
Measures.

14. The holder for the time being of such office on the staff of the Minister charged with responsibility for matters relating to commerce as that Minister may designate for the purposes of this section shall *ex officio* be the Inspector of Weights and Measures for Nigeria."

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

B. ADE. MANUWA,
Clerk of the House of Representatives