

Assented to in Her Majesty's name this 20th day of December, 1958.

J. W. ROBERTSON,  
*Governor-General*

(L.S.)

No. 40



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 NIGERIAN RAILWAY CORPORATION  
ORDINANCE, 1955 (No. 20 OF 1955).

Title.

[24th December, 1958.]

Commence-  
ment.

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

Enactment

1. This Ordinance may be cited as the Nigerian Railway Corporation  
(Amendment) (No. 2) Ordinance, 1958.

Short title.

Amendment  
of section 5,  
No. 20 of  
1955.

2. Section 5 of the Nigerian Railway Corporation Ordinance, 1955, is amended by the deletion from sub-paragraph (v) of paragraph (b) of the words "Nigeria Central Marketing Board" and the substitution thereof of the following—

"Nigerian Produce Marketing Company".

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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. 41

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 ILLITERATES PROTECTION ORDINANCE  
(CHAPTER 88).**

[24th December, 1958.]

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

**1. This Ordinance may be cited as the Illiterates Protection (Amendment)  
Ordinance, 1958.**

**2. Section 10 of the Illiterates Protection Ordinance (hereinafter referred  
to as the principal Ordinance) is amended by being re-numbered as subsection  
(1) of section 10 and by the addition thereafter of the following new subsec-  
tion—**

Title.

Commence-  
ment.

Enactment.

Short title.

Amendment  
of section 10.  
Cap. 88.

"(2) For the purposes of subsection (1) and of the Schedule to this Ordinance—

(a) in calculating the maximum fee or reward permitted for a letter or document or copy thereof, no letter or document or copy thereof shall be deemed to contain more than one thousand words; and

(b) a fee or reward shall be deemed to include payment for all reasonable materials and stationery."

Repeal and  
replacement  
of Schedule.

3. The Schedule to the principal Ordinance is repealed and the following new Schedule substituted therefor—

# "SCHEDULE

(s. 10)

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

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. 42

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 INTERPRETATION ORDINANCE (CHAPTER 94  
OF THE REVISED EDITION OF THE LAWS, 1948).

Title.

[24th December, 1958.]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the Interpretation (Amendment)  
Ordinance, 1958.

Short title

Insertion  
of new  
section  
42A in  
Cap. 94.

2. The Interpretation Ordinance is amended by the insertion after section 42 of the following new section—

"Reprint of  
United  
Kingdom  
Acts, etc.

42A. (1) When any Act of the United Kingdom, Order of Her Majesty in Council, Letters Patent, Royal Instructions or other form of prerogative or subsidiary legislation made in the United Kingdom and current in Nigeria is amended, the Federal Government Printer may, with the authority of the Governor-General, reprint copies of such Act or other Instrument.

(2) When any Act or other Instrument is reprinted in pursuance of subsection (1) of this section, the provisions of the Instrument may be reproduced with such amendments as may have been made thereto by any other Instrument, and where any Instrument has been applied or extended to Nigeria with modifications, the provisions of the Instrument may be reproduced with those modifications :

Provided that every departure from the original text of the Instrument shall be clearly shown by notes or references or other similar means."

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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. 43

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 IMMIGRATION ORDINANCE  
(CHAPTER 89 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 Immigration (Amendment) Ordinance, 1958, and shall come into force on a date to be appointed by the Governor-General by notice in the Gazette.

Short title  
and com-  
mencement.

Amendment  
of section 2.  
Cap. 89.

2. Section 2 of the Immigration Ordinance is amended by the deletion of the definition of "native foreigner" and the substitution therefor of the following—

"'native foreigner' means any person whose parents were members of a tribe or tribes indigenous to Ghana, Sierra Leone, the Gambia, the Sudan, the Republic of Guinea, French West Africa, the French Cameroons, French Equatorial Africa, or Togoland, and the descendants of such persons, and shall include any person one of whose parents was a member of such tribe;"

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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. 44

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 CRIMINAL CODE ORDINANCE  
(CHAPTER 42).

Title.

[By Notice, see section 1]

Commencement.

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

Enactment.

1. (1) This Ordinance may be cited as the Criminal Code (Pool Betting) (Amendment) Ordinance, 1958, and shall come into operation on a day to be appointed by the Governor-General in the Gazette.

Short title, commencement and application.

(2) This Ordinance shall apply in respect of the Federal territory of Lagos.

Addition of  
new sections  
239A and  
239B, Cap. 42.

2. The Criminal Code Ordinance is amended by the addition after section 239 of the following new sections—

"Pool  
betting.

239A. (1) No person shall carry on any pool betting business except under and in accordance with a licence issued under section 239B.

(2) Any person who contravenes the provisions of subsection (1) is guilty of a misdemeanour and is liable to imprisonment for one year or to a fine of five hundred pounds or to both such imprisonment and fine.

(3) For the purposes of section 239 any house, room or place which is used for the purposes of a pool betting business shall not be deemed to be a common gaming house by reason only that it is so used.

(4) In this section and in section 239B—

"pool betting business" means a business involving the receiving or negotiating of bets made by way of pool betting or a business involving the receiving or negotiating of such bets on behalf of any person whether such person is inside or outside Nigeria.

Licences  
for pool  
betting  
businesses.

239B. (1) The Minister may, on payment of the prescribed fee, issue licences to carry on a pool betting business and renew such licences.

(2) The issue or renewal of any such licence shall be in the absolute discretion of the Minister.

(3) Any such licence shall be subject to such conditions as may be prescribed and to such special conditions endorsed thereon as the Minister may see fit to impose.

(4) The Minister may revoke any licence issued under this section on proof to his satisfaction of a breach of any condition of the licence or of a contravention of any regulation made under subsection (5).

(5) The Minister may by regulations prescribe or provide for—

(a) the method and form of application for such licences or renewal thereof;

(b) the fees payable for such licences or renewal thereof;

(c) the form of such licences and the conditions to which such licences shall be subject;

(d) the period of validity of such licences;

(e) the information to be supplied to the Minister in respect of the conduct of a pool betting business, the intervals at which such information is to be so supplied and the certification of the accuracy of such information by such person or persons as may be prescribed."

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. 45

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 FACTORIES ORDINANCE, 1955 (No. 33 OF 1955).**

Title.

*[1st April, 1959.]*

Commence-  
ment.

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

Enactment.

**1. This Ordinance may be cited as the Factories (Amendment) Ordinance, 1958, and shall come into operation on the 1st day of April, 1959.**

Citation  
and com-  
mencement.

Amendment  
of section 5.  
No. 33 of  
1955.

2. Subsection (1) of section 5 of the Factories Ordinance, 1955 (herein after referred to as the principal Ordinance) is amended—

(a) by the insertion in paragraph (iii) after the words "transport undertaking" of the following—

"or other industrial or commercial undertaking";

(b) by the deletion from paragraph (iii) of the words "running repairs";

(c) by the substitution of a semi-colon for the colon at the end of paragraph (viii) and the insertion thereafter of the following new paragraph—

"(ix) any laundry carried on as ancillary to another business, or incidentally to the purposes of any public institution:".

Amendment  
of section 21.

3. Section 21 of the principal Ordinance is amended—

(a) by the repeal of subsection (3);

(b) by the deletion from subsection (6) of the words "the last four foregoing subsections" and the substitution therefor of the following—

"subsections (2), (4) and (5)".

Addition of  
new section  
21A.

4. The principal Ordinance is amended by the addition after section 21 of the following new section—

"Powered machinery. 21A. Every power driven machine having its individual source of power shall be provided with an efficient starting and stopping appliance, the control of which shall be in such a position as to be readily and conveniently operated by the person operating the machine."

Amendment  
of section  
25.

5. Section 25 of the principal Ordinance is amended—

(a) by the insertion after subsection (2) of the following new subsection—

"(2A) The Minister may by order extend the provisions of this section to such other dangerous parts of machinery or plant as may be specified in the order.";

(b) by the insertion in subsection (3) after the word "Ordinance" of the following—

"and any order made under this section shall not apply to any machinery or plant constructed before the making of the order."

Amendment  
of section  
48.

6. Section 48 of the principal Ordinance is amended by the repeal of subsection (1) and the substitution therefor of the following new subsection—

"(1) There shall be provided and maintained so as to be readily accessible a first-aid box or cupboard of the prescribed standard, and where more than one hundred and fifty persons are employed an additional box or cupboard for every additional one hundred and fifty persons.

For the purposes of this provision the number of persons employed in a factory shall be taken to be the largest number of persons employed therein at any one time, and any fraction of one hundred and fifty shall be reckoned as one hundred and fifty. Where the persons employed are employed in shifts, the calculation of the number employed should be according to the largest number at work at any one time."

7. Section 69 of the principal Ordinance is amended by the repeal of subsection (5) and the substitution therefor of the following new subsection—

Amendment  
of section  
69.

"(5) No inspector shall publish or disclose to any person the details of any manufacturing or commercial or working process which may come to his knowledge in the course of his duties except in so far as is necessary—

(a) for the purposes of a prosecution for an offence under this Ordinance; —

(b) for the purposes of a Coroner's inquest; or

(c) for the purpose of an enquiry under the Commissions of Inquiry Ordinance in connection with the safety of any premises, or in connection with an accident happening therein, or in connection with an occupational disease."

Cap. 37.

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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. 46

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 POST OFFICE ORDINANCE (CHAPTER 174)

[24th December, 1958.]

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

1. This Ordinance may be cited as the Post Office (Amendment) Ordinance, 1958.

Title.

Commence-  
ment.

Enactment.

Short title.

Amendment  
of section 2.  
Cap. 174.

2. Section 2 of the Post Office Ordinance (hereinafter referred to as the principal Ordinance) is amended by—

(a) the insertion in the definition of "letter" after the word "includes" of the following—

"aerogramme and";

(b) the insertion in the definition of "postal article" after the word "letter", of the following—

"aerogramme,".

Amendment  
of section 3.

3. Section 3 of the principal Ordinance is amended by the insertion in paragraph (d) after the words "office of the addressee" of the following—

"or into any private box or bag used for the receipt of postal articles for the addressee".

Amendment  
of section 11.  
L.N. 131 of  
1954.

4. Section 11 of the principal Ordinance (as adapted by the Adaptation of Laws Order, 1954) is amended by the deletion of the word "Governor-General" and the substitution therefor of the following—

"Minister".

Amendment  
of section 12.

5. Section 12 of the principal Ordinance (as adapted by the Adaptation of Laws Order, 1954) is amended by—

(a) the deletion of the word "Governor-General" and the substitution therefor of the following—

"Minister";

(b) the insertion after the words "stamped envelopes," of the following—  
"stamped aerogramme forms,";

(c) the insertion after the word "envelope" of the following—  
"aerogramme form,".

Repeal and  
replacement  
of section 13.

6. Section 13 of the principal Ordinance is repealed and the following section is substituted therefor—

"13. Notwithstanding the provisions of section 60 of the Interpretation Ordinance, postage shall be payable by any Government department or naval, military or air service in Nigeria in respect of postal articles sent by or on behalf of such department or service."

Amendment  
of section 21.

7. Section 21 of the principal Ordinance is amended by the insertion in subsection (1) after the word "Department" of the following—

"and no agent or person employed by or under an agent of such Department".

Amendment  
of section 24.

8. Section 24 of the principal Ordinance is amended by—

(a) the deletion of the words "assistant surveyor" wherever they occur and the substitution therefor in each case of the following—

"Head Postmaster";

(b) the deletion of the word "surveyor" wherever it occurs and the substitution therefor of the following—

"Assistant Postal Controller".



9. Section 36 of the principal Ordinance (as adapted by the Adaptation of Laws Order, 1954) is amended—

Amendment  
of section 36.

(a) by the deletion from the first place where it occurs and from paragraph (c) of the word "Governor-General" and the substitution therefor in each case of the following—

"Minister";

(b) by the deletion of paragraph (n).

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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. 47

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 MILITARY PENSIONS ORDINANCE, 1955 (No. 12 of 1955).**

Title.

*[1st January, 1956.]*

Commence-  
ment.

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

Enactment.

**1. This Ordinance may be cited as the Military Pensions (Amendment) Ordinance, 1958, and shall be deemed to have come into operation on the 1st day of January, 1956.**

Citation and  
commence-  
ment.

Amendment  
of section 7.  
No. 12 of  
1955.

2. Section 7 of the Military Pensions Ordinance, 1955 (hereinafter referred to as the principal Ordinance) is amended by the repeal of subsection (2) and the substitution thereof of the following—

“(2) No pension or gratuity shall be granted under this Ordinance to an officer holding a short service commission except—

(a) to such an officer who has been injured without his own default in circumstances specifically attributable to the nature of his duty, the Governor-General being satisfied on medical evidence that as a result of such injury he is incapable of discharging his military duties and that the injury is likely to be permanent; or

(b) to such an officer who was granted such commission without break of service after service in the ranks, on retirement from the military service in one of the cases specified in subsection (1).”

Amendment  
of section 8.

3. Section 8 of the principal Ordinance is amended by—

(a) the deletion of the words “holding a regular commission”;

(b) the insertion after the words “paragraph (d) of subsection (1)” of the following—

“or paragraph (a) of subsection (2)”.

Amendment  
of section 14.

4. Section 14 of the principal Ordinance is amended by—

(a) the deletion from subsection (1) of the words “holding a regular commission”;

(b) the insertion in subsection (2) after the words “paragraph (d) of subsection (1),” of the following—

“paragraph (a) of subsection (2),”.

Amendment  
of Schedule.

5. The Schedule to the principal Ordinance is amended by—

(a) the re-numbering of regulation 3 as paragraph (1) of regulation 3 and the addition thereto of the following new paragraph—

“(2) Subject to the provisions of the Ordinance and of these regulations an officer holding a short service commission whose total service including service in the ranks is eighteen years or more may be granted on retirement a pension calculated under paragraph (1) as in the case of an officer holding a regular commission, and for the purpose of the calculation of such pension one half of his period of service in the ranks shall count as pensionable service.”;

(b) the re-numbering of regulation 4 as paragraph (1) of regulation 4 and the addition thereto of the following new paragraph—

“(2) An officer holding a short service commission who is otherwise qualified for a pension but whose total service including service in the ranks does not qualify him for a pension may be granted on retirement a gratuity not exceeding one-eighth of a month's pensionable emoluments for each complete month in the military service, and for the purpose of such calculation one half of his period of service in the ranks shall be counted.”;

(c) the addition after regulation 4 of the following new regulation—

“Benefits to  
exclude  
normal  
gratuity.”

4A. Any pension or gratuity granted under paragraph (2) of regulation 3 or paragraph (2) of regulation 4 shall be in lieu of any other gratuity payable in respect of service while holding a short service commission.”;

(d) the deletion from regulation 10 of the words "holding a regular commission";

(e) the revocation of paragraph (1) of regulation 11;

(f) the deletion from sub-paragraph (i) of paragraph (b) of regulation 14 of the words "under a short service commission" and the substitution therefor of the following—

"and for the purpose of such calculation one half of his period of service in the ranks shall be counted".

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. 48



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 PROVIDE FOR THE PAYMENT OF SALARIES, GRATUITIES AND  
ALLOWANCES TO MEMBERS OF THE FEDERAL PUBLIC SERVICE COMMISSION.**

**[24th December, 1958.]**

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

**1. This Ordinance may be cited as the Federal Public Service Com-  
mission Ordinance, 1958.**

Title

Date of  
commence-  
ment.

Enactment.

Short title.

Interpre-  
tation.

2. In this Ordinance—

L.N. 102  
of 1954.

"Commission" means the Public Service Commission for the Federation established by section 174 of the Nigeria (Constitution) Order in Council, 1954.

Chairman's  
salary and  
gratuity.

3. (1) There shall be paid to the Chairman of the Commission—

(a) a salary of three thousand pounds a year; and

(b) upon satisfactory completion of his service as Chairman of the Commission a gratuity at the rate of seventy-five pounds for each completed three months of service.

(2) No gratuity shall be payable under this section to any serving member of the public service of the Federation or of a Region appointed to be the Chairman of the Commission who is a pensionable officer for the purposes of any Ordinance or Law relating to pensions.

Full-time  
member's  
salary and  
gratuity.

4. (1) Save as provided by section 3, there shall be paid to each member of the Commission whose terms of appointment require him to devote the whole of his services to the work of the Commission—

(a) a salary of two thousand four hundred pounds a year; and

(b) upon satisfactory completion of his service as a member of the Commission a gratuity at the rate of fifty pounds for each completed three months of service.

(2) No gratuity shall be payable under this section to any serving member of the public service of the Federation or of a Region appointed to be a member of the Commission who is a pensionable officer for the purpose of any Ordinance or Law relating to pensions.

Part-time  
member's  
salary.

5. (1) There shall be paid to each member of the Commission whose terms of appointment do not require him to devote the whole of his services to the work of the Commission a salary of eight hundred pounds a year.

(2) No salary shall be payable under this section to any member of the public service of the Federation or of a Region appointed to be a member of the Commission.

Allowances.

6. In addition to any salary or gratuity payable under the provisions of this Ordinance, there shall be paid to the Chairman and other members of the Commission on account of expenses connected with their office—

(a) if incurred within Nigeria, such allowances as are paid from time to time to members of the public service of the Federation holding appointments at equivalent salaries; or

(b) if incurred outside Nigeria, such allowances as the Governor-General in his discretion may determine.

Amounts  
to be a  
charge on  
the conso-  
lidated  
Revenue  
Fund.

7. The amounts payable under the provisions of this Ordinance shall be a charge on the Consolidated Revenue Fund of the Federation.

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*