

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 FURTHER TO AMEND THE IMMIGRATION ORDINANCE (Chapter 89)

Commence-
ment.

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

1. This Ordinance may be cited as the Immigration (Amendment) Ordinance, 1959.

Short title.

2. The Immigration Ordinance is amended by the addition after section 22 of the following new sections—

Addition of
new sections
22A and 22B.
Cap. 89.

"Applica-
tion of
Ordinance
after entry.

22A. (1) Where any person other than a prohibited immigrant has entered Nigeria—

(a) in pursuance of a visiting or transit pass, and he has surrendered the pass or has remained in Nigeria beyond the time allowed by the pass; or

(b) without appearing before and being examined by an immigration officer in accordance with the provisions of Part II, such person may be permitted to continue to be in Nigeria, and, for the purpose of the giving of such permission, the provisions of this Ordinance shall apply to such person as if he was a person desiring to enter Nigeria for the first time.

(2) Where permission has been given to any such person under the provisions of subsection (1) to continue to be in Nigeria, he shall, for the purposes of this Ordinance—

(a) if such permission was contained in a visiting or transit pass, be deemed to have entered Nigeria in pursuance of the pass; or

(b) if such permission was not contained in a visiting or transit pass, be deemed to have entered Nigeria in accordance with the provisions of section 18, and the conditions subject to which such permission was given shall, for the purposes of this Ordinance, be deemed to be the conditions subject to which he was permitted entrance.

(3) Nothing in this section shall affect the liability of any person for any contravention or failure to comply with the provisions of this Ordinance or any condition imposed thereunder.

Variation of
conditions
of entry.

22B. (1) Where any person has entered Nigeria in accordance with the provisions of section 18 or in pursuance of a visiting or transit pass, the conditions subject to which he was permitted entrance or to which the pass was issued may, at any time, be varied or added to in such manner as may be prescribed, and thenceforth the conditions as so varied or added to shall, for the purposes of this Ordinance, be deemed to be the conditions subject to which he was permitted entrance or to which the pass was issued as the case may be.

(2) The variation of any condition of entry under the provisions of subsection (1) shall not affect the liability of any person for any contravention or failure to comply with the condition before the variation thereof."

Objects and Reasons

The Immigration Ordinance, Chapter 89, regulates the entry of persons into Nigeria by enabling conditions to be imposed upon entry and providing penalties for contravention of those conditions. The provisions relating to the imposition of conditions are applicable only at the time of entry, and there are at present no provisions enabling conditions to be imposed or varied at a later time.

2. Situations have arisen and may arise in which through some irregularity a person is in Nigeria without having obtained permission to enter or has overstayed the time originally permitted, and there is no objection to his continuing to be in Nigeria, but no provision exists for permitting him to do so and imposing conditions.

3. Similarly, there is no way in which a person holding a visiting or transit pass may be permitted to remain in Nigeria as an immigrant, should this be considered desirable.

4. The object of this Bill is therefore to add two new sections providing for the application of the Ordinance in certain circumstances to a person after the time of his entry, and to enable conditions to be varied. It is specifically provided that the new provisions will not affect the liability of any person for a contravention of a provision of the Ordinance or a condition imposed thereunder.

ABUBAKAR T. BALEWA,
Prime Minister of the Federation