

L.N. 113 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Revenue Allocation (Tobacco Import and Excise Duties)
Regulations, 1959*Commencement : 7th May, 1959*

In exercise of the powers conferred by section 171 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General after consultation with the Council of Ministers, has made the following regulations—

1. These regulations may be cited as the Revenue Allocation (Tobacco Import and Excise Duties) Regulations, 1959.

Citation.

2. In these regulations—

Definitions.

"the Order" means the Nigeria (Constitution) Order in Council, 1954, as amended;

"prescribed authority" means in relation to regulation 3, the authority prescribed by the Governor-General for the purposes of subsection 2 of section 156 of the Order and in relation to regulation 6 the authority prescribed by the Governor-General for the purposes of section 157 of the Order;

"Region" includes the Federal Territory of Lagos and the Southern Cameroons;

"quarter" means a quarter of a period of twelve months beginning on the 1st April in any year;

"tobacco importer's licence" means a licence issued under section 4 of the Tobacco (Licences and Returns) Ordinance, 1952;

No. 1 of 1952.

"tobacco manufacturer's licence" means a licence to manufacture tobacco issued under section 105 of the Customs and Excise Management Ordinance, 1958.

No. 55 of 1958.

3. The prescribed authority shall determine the amount of each class of tobacco subject to import duty and distributed for consumption in any Region in any quarter by adding together the several quantities of such tobacco which he is satisfied by reason of information furnished to him in accordance with the Revenue Allocation (Tobacco Returns) Regulations, 1959, to have been so distributed in that Region by holders of a tobacco importer's licence.

Determination of quantities of imported tobacco consumed in Regions.

4. For the purposes of section 157 of the Order, each brand of tobacco goods subject to excise duty is hereby designated a separate commodity.

Designation of certain tobacco as a separate commodity.

5. (1) The prescribed authority shall determine the total quantities of any separate commodity distributed for consumption in any region in any quarter by adding together the several quantities of such separate commodity which he is satisfied by reason of information furnished to him in accordance with the Revenue Allocation (Tobacco Returns) Regulations, 1959, to have been distributed for consumption in that Region by holders of a tobacco manufacturer's licence.

Determination of quantities of tobacco subject to excise duty consumed in Regions.

(2) In this regulation "separate commodity" means a separate commodity designated by regulation 4.

6. The Tobacco Import and Excise Duties Regulations, 1954, are revoked.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
Council of Ministers*

EXPLANATORY NOTE

These regulations prescribe the method whereby the Chairman, Board of Customs and Excise determines the respective proportions of tobacco distributed Regionally upon which proportions depend the distribution of the proceeds of tobacco import and excise duty.

L.N. 114 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Revenue Allocation (Tobacco Returns) Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by section 171 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

Citation.

1. These regulations may be cited as the Revenue Allocation (Tobacco Returns) Regulations, 1959.

Definitions.

2. In these regulations—"the Order" means the Nigeria (Constitution) Order in Council, 1954, as amended;

"prescribed authority" means the person appointed by the Governor-General for the purposes of subsection 2 of section 156 and of section 157 of the Order;

"tobacco importer" means a person licensed under the provisions of section 4 of the Tobacco (Licences and Returns) Ordinance, 1952;

"tobacco manufacturer" means a person licensed under the provisions of section 105 of the Customs and Excise Management Ordinance, 1958.

No. 1 of
1952.

No. 55 of
1958.

Prescribed
authority to
be furnished
with infor-
mation.

Tobacco
importers
and tobacco
manufac-
turers to
produce
books and
accounts.

3. The prescribed authority by notice published in the Gazette may require all tobacco importers and tobacco manufacturers to furnish him with such information within such time and in such form as the prescribed authority may require to enable him to perform the duties imposed on him by subsection (2) of section 156 and section 157 of the Order.

4. Tobacco importers and tobacco manufacturers shall, upon demand by the prescribed authority, produce for inspection at such time and at such place as the prescribed authority may require any books or accounts or other documents of whatever nature relating to matters in respect of which information may be required under regulation 3.

5. If the accounts, books or records kept by any tobacco importer or tobacco manufacturer are, in the opinion of the prescribed authority, inadequate for the purpose of complying with the provisions of regulation 3, the prescribed authority may, by notice in writing, direct that such tobacco importer or tobacco manufacturer shall keep accounts, books and records in such form as he may specify relating to the matters in respect of which information is required.

Prescribed authority may direct the keeping of books of accounts and records.

6. Any person failing to comply with any of the provisions of these regulations shall be liable to a penalty of one hundred pounds and to a further penalty of ten pounds for each day during which the failure continues.

Penalties.

7. Any person who for the purposes of these regulations knowingly furnishes any statement, information or report which is false in any material particular, or recklessly makes a statement which is false in any material particular or with intent to deceive, produces, furnishes or makes use of any book, account or other document which is false in any material particular, shall be guilty of an offence and shall be liable on conviction to a fine of fifty pounds or to imprisonment for six months or to both such fine and imprisonment.

Supplying false information.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
Acting Deputy Secretary to the
Council of Ministers

EXPLANATORY NOTE

These regulations give the Chairman, Board of Customs and Excise power to call for such information as he may require from tobacco importers and tobacco manufacturers to enable him to arrive at the amounts of tobacco distributed for consumption in each Region, the Southern Cameroons and the Federal Territory of Lagos, upon which the distribution of revenue derived from tobacco depends.

L.N. 115 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Revenue Allocation (Motor Spirit and Diesel Oil Import Duties)
Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by section 170 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

1. These regulations may be cited as the Revenue Allocation (Motor Spirit and Diesel Oil Import Duties) Regulations, 1959.

Citation.

2. In these regulations, save when the context otherwise requires—

"prescribed authority" means the authority prescribed by the Governor-General for the purposes of section 156 of the Nigeria (Constitution) Order in Council, 1954;

Definitions.

"Region" includes the Federal Territory of Lagos and the Southern Cameroons;

"quarter" means a quarter of a period of 12 months beginning on the 1st April in any year;

No. 5 of
1952.

Determi-
nation of
quantities
of motor
spirit and
diesel oil
distributed
Regionally.

"registered importer" and "registered distributor" mean persons registered respectively in accordance with subsection (1) and subsection (2) of section 3 of the Motor Spirit (Returns) Ordinance, 1952.

3. The prescribed authority shall determine the amounts of motor spirit and diesel oil subject to import duty distributed for consumption in any Region in any quarter by adding together the quantities of such motor spirit and diesel oil that by reason of information furnished to him in accordance with the Revenue Allocation (Motor Spirit and Diesel Oil Returns) Regulations, 1959, he is satisfied have been so distributed for consumption in that Region—

(a) by registered importers otherwise than to registered distributors, and

(b) by registered distributors,

and adding thereto the quantities that he is in the same manner satisfied have been appropriated by registered importers or by registered distributors for the purposes of businesses carried on by them in that Region.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
Council of Ministers*

EXPLANATORY NOTE

These regulations prescribe the method whereby the Chairman, Board of Customs and Excise determines the respective proportions of motor spirit and diesel oil distributed Regionally, upon which proportions depend the distribution of the proceeds of motor spirit and diesel oil import duty.

L.N. 116 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Revenue Allocation (Motor Spirit and Diesel Oil Returns) Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by section 171 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

Citation.

1. These regulations may be cited as the Revenue Allocation (Motor Spirit and Diesel Oil Returns) Regulations, 1959.

Definitions.

2. In these regulations—

"the Order" means the Nigeria (Constitution) Order, 1954, as amended;
"prescribed authority" means the person appointed for the purposes of subsection (1) of section 156 of the Order;

"registered distributor" and "registered importer" have the meaning assigned to them under section 2 of the Motor Spirit (Returns) Ordinance, 1952.

No. 5 of
1952.

3. The prescribed authority by notice published in the Gazette may require all registered distributors and registered importers to furnish him with such information within such time and in such form as the prescribed authority may require to enable him to perform the duties imposed on him by subsection (1) of section 156 of the Order.

Prescribed authority to be furnished with information.

4. Registered distributors and registered importers shall, upon demand by the prescribed authority, produce for inspection at such time and place as the prescribed authority may require any books or accounts or other documents of whatever nature relating to the matters in respect of which information may be required under regulation 3.

Registered distributors and importers to produce books and accounts.

5. If the accounts, books or records kept by any registered distributor or registered importer are, in the opinion of the prescribed authority, inadequate for the purpose of complying with the provisions of regulation 3, the prescribed authority may, by notice in writing, direct that such registered distributor or registered importer shall keep accounts, books and records in such form as he may specify relating to the matters in respect of which information is required.

Prescribed authority may direct the keeping of books of account and records.

6. Any person failing to comply with any of the provisions of these regulations shall be liable to a penalty of one hundred pounds and to a further penalty of ten pounds for each day during which the failure continues.

Penalties.

7. Any person who for the purposes of these regulations knowingly furnishes any statement, information or report which is false in any material particular, or recklessly makes a statement which is false in any material particular or with intent to deceive, produces, furnishes or makes use of any book, account or other document which is false in any material particular, shall be guilty of an offence and shall be liable on conviction to a fine of fifty pounds or to imprisonment for six months or to both such fine and imprisonment.

Supplying false information.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
Acting Deputy Secretary to the
Council of Ministers

EXPLANATORY NOTE

These regulations give the Chairman, Board of Customs and Excise power to call for such information as he may require from the oil companies to enable him to arrive at the amounts of motor spirit and diesel oil distributed for consumption in each Region, the Southern Cameroons and the Federal Territory of Lagos, upon which the distribution of revenue derived from motor spirit and diesel oil depends.

L.N. 117 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959
Revenue Allocation (Export Duties Apportionment) Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by sections 158 and 170 of the Nigeria (Constitution) Orders in Council, 1954 to 1959, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

Citation.

1. These regulations may be cited as the Revenue Allocation (Export Duties Apportionment) Regulations, 1959.

Definitions.

2. In these regulations, save where the context otherwise requires—

"the Order" means the Nigeria (Constitution) Order in Council, 1954, as amended;

"prescribed authority" means the person or authority appointed by the Governor-General for the purposes of subsection (2) of section 158 of the Order;

"Region" includes the Southern Cameroons.

Designation
of separate
commodities.
First
Schedule.

3. The commodities, or classes, varieties or descriptions of commodities specified in the second column of the First Schedule are designated separate commodities for the purposes of section 158 of the Order.

Prescription
of appropriate per-
centages.
Second
Schedule.

4. For the purposes of section 158 of the Order the appropriate percentage of the proceeds for each quarter of the duty levied on each commodity specified in the second column of the First Schedule in relation to each Region shall be the percentage prescribed in the Second Schedule.

Revocation
(L.N. 169
of 1954).

5. The Export Duties Apportionment Regulations, 1954, are revoked.

FIRST SCHEDULE

(reg. 3)

First Column	Second Column
PART I	(1) Bananas (2) Shea Nuts (3) Rubber, raw (all grades) (4) Rubber, crepe (5) Rubber, paste (6) Timber, all species and forms excluding plywood (7) Cocoa (8) Groundnuts (9) Groundnut oil (10) Groundnut meal (11) Groundnut cake (12) Cotton Lint (13) Palm Oil, edible (14) Palm Oil, technical (15) Palm Kernels (16) Palm Kernel oil (17) Palm Kernel meal (18) Palm Kernel cake (19) Benniseed

FIRST SCHEDULE—*continued**First Column**Second Column*

PART II (1) Cattle Hides
 (2) Goat Skins
 (3) Sheet Skins

PART III Cotton Seed.

SECOND SCHEDULE

(reg. 4)

1. Commodities specified in Part I of the First Schedule—

that percentage of the proceeds for a quarter that is declared by the prescribed authority to be attributable to exports of each designated commodity that were derived from each Region.

2. Commodities specified in Part II of the First Schedule—

that percentage of the proceeds for a quarter that is declared by the prescribed authority to be attributable to exports of each designated commodity that were purchased in each Region.

3. The commodity specified in Part III—

(a) the same percentage as that prescribed in paragraph 1;

(b) such percentage shall be calculated by ascertaining the percentage of the total proceeds for a quarter which bears the same proportion to such total proceeds as that part of the total exportable surplus of cotton seed which is declared by the prescribed authority to be attributable to cotton derived from each Region bears to the total exportable surplus of cotton seed;

(c) for the purpose of paragraph (b) "total exportable surplus" of cotton seed means the amount of cotton seed remaining after there has been deducted from the total amount of cotton seed ginned from cotton in the quarter in Nigeria the amount of cotton seed used for internal consumption in Nigeria.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
 Council of Ministers*

EXPLANATORY NOTE

These regulations designate the separate commodities upon which export duties are levied and prescribe the appropriate percentages of such export duties which are the basis upon which the proceeds of export duties are allocated to the Regions.

L.N. 118 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

**Revenue Allocation (Mining Royalties and Mining Rents)
Regulations, 1959**

Commencement : 7th May, 1959.

In exercise of the powers conferred by subsection (4) of section 161 and section 171 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

Citation.

1. These regulations may be cited as the Revenue Allocation (Mining Royalties and Mining Rents) Regulations, 1959.

Definitions.

2. In these regulations—

No. 55 of
1958.

“export” has the meaning assigned to it in section 2 of the Customs and Excise Management Ordinance, 1958;

“entered for export” means the procedure laid down in section 47 of the Customs and Excise Management Ordinance, 1958;

“the Order” means the Nigeria (Constitution) Order in Council, 1954, as amended;

“the prescribed authority” means the authority prescribed by the Governor-General for the purposes of section 161 of the Order;

“Region” includes the Southern Cameroons.

Exporter of
minerals to
make
declaration
and supply
information.

3. Every exporter of every mineral specified in the schedule to these regulations shall—

(a) before the mineral is entered for export, declare on the appropriate customs entry form the Region in which the mineral was extracted;

(b) upon demand made by the prescribed authority furnish to him within such time and in such manner as he may require, such information as the prescribed authority may require relating to any mineral which such exporter has exported or in respect of which he has made any declaration under paragraph (a);

(c) upon demand made by the prescribed authority produce at such time and place as the prescribed authority may require, any books, accounts or other documents relating to any such mineral as is referred to in paragraph (b);

Penalties
for non-
compliance
with re-
quirements
of regu-
lation 3.

4. If any person fails to comply with any of the provisions of regulation 3 he shall be liable to a penalty of one hundred pounds and, in addition, in the case of a failure to comply with a requirement of the prescribed authority whereby he was required to do any act at a specified time or within a specified period, a further penalty of five pounds for each day after that time or after the end of that period, as the case may be during which the failure to do the act in question continues.

Supplying
false infor-
mation.

5. If any person—

(a) knowingly makes in any declaration which he is required to make by paragraph (a) of regulation 3 any statement which is false in any material particular; or

(b) in relation to any requirement of a prescribed authority under paragraph (b) or (c) of regulation 3 knowingly furnishes any information which is false in any material particular,

he shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or to a fine of one hundred pounds or to both such imprisonment and fine.

6. The proper officer of the Board of Customs and Excise may refuse to accept the entry for export of any commodity in respect of which he is satisfied that the provisions of regulation 3 have not been complied with.

Proper officer of Customs may refuse entry for export.
Recovery of penalties.

7. Any pecuniary penalties imposed by regulation 4 may be sued for, determined, enforced and recovered by suit or other appropriate proceedings in a magistrate's court which court is hereby invested with the necessary jurisdiction for the purpose, in the name of the prescribed authority as nominal plaintiff; and all such proceedings shall be deemed to be civil proceedings, and the ordinary civil procedure applying in the court in question shall apply thereto.

8. (1) The exporter of any mineral may comply with the provisions of regulation 3 by any agent lawfully authorised as such under section 135 of the Customs and Excise Management Ordinance, 1958.

Authorised agents.

(2) Sections 135, 136 and 137 of the Customs and Excise Management Ordinance, 1958 shall apply in relation to the liability of an agent of an exporter for the performance of acts under these regulations and in relation to the liability of an exporter for the acts and declarations of his agent for the purposes of these regulations as they apply in relation to the liability of an agent for the performance of acts under the Customs laws and in relation to the liability of an exporter for the acts and declarations of his agents for the purposes of the Customs laws.

9. (1) In relation to minerals specified in the schedule to these regulations, the Region in which any minerals are extracted shall, for the purposes of section 161 of the Order, be determined by the prescribed authority from information contained in the appropriate Customs entry form, or otherwise supplied to him in accordance with the provisions of regulation 3.

Method of determination of the amount of mineral extracted in Regions.

(2) In relation to other minerals the Region in which any mineral is extracted shall, for the purposes of section 161 of the Order, be determined by the prescribed authority from information supplied by the Chief Inspector of Mines.

10. (1) In respect of mining rents other than oil-mining rents the Region to which the rent relates shall be determined by the prescribed authority from information supplied by the Accountant-General, Northern Region in respect of the Northern Region and by the Chief Inspector of Mines in respect of the Eastern Region, the Western Region and the Southern Cameroons.

Method of determination of Region of origin of mining rents

(2) In respect of oil-mining rents, the Region to which the rent relates shall be determined by the prescribed authority from information supplied by the Chief Inspector of Mines.

11. The Mining Royalties Regulations, 1954, are revoked.

Revocation (L.N. 129 of 1954).

SCHEDULE

Tin Ore
Columbite
Wolfram
Tantalite

Mica
Zinc Ore
Thorium
Zircon

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
Council of Ministers*

EXPLANATORY NOTE

These regulations prescribe the method by which the Accountant-General of the Federation determines the respective proportions of mining royalties and rents derived from each Region upon which depends the distribution of the proceeds of the royalties and rents.

L.N. 119 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Allocated Revenues (Method of Accounting) Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by section 170 of the Nigeria (Constitution) Orders in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

Citation.

1. These regulations may be cited as the Allocated Revenues (Method of Accounting) Regulations, 1959.

Revocation
of L.N. 56
of 1955.

2. The Allocated Revenues (Method of Accounting) Regulations, 1955 are revoked.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
Council of Ministers*

L.N. 120 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Beer Excise Duty Regulations, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by subsection (2) of section 170 and section 171 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has made the following regulations—

1. These regulations may be cited as the Beer Excise Duty Regulations, 1959. Citation.

2. The Beer Excise Duty Regulations, 1954, are revoked.

Revocation
of L.N. 153
of 1954.

MADE at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
*Acting Deputy Secretary to the
Council of Ministers*

F11428/S. 11⁴

L.N. 121 of 1959

IMMIGRATION ORDINANCE (CHAPTER 89)

Issam Soufan—Deportation Order

Commencement : 27th April, 1959

WHEREAS on the 23rd day of February, 1959, before the Magistrate Court of Kano, ISSAM SOUFAN was charged with an offence contrary to section 19 of the Immigration Ordinance, Chapter 89, as amended by the Immigration (Amendment) Ordinance, No. 18 of 1956, and was convicted by the said court;

AND WHEREAS the said court in exercise of the powers conferred by subsection (1) of section 14A of the said Ordinance has recommended to the Governor-General that the said ISSAM SOUFAN be deported from Nigeria;

AND WHEREAS the Governor-General has considered the recommendation that the said ISSAM SOUFAN be deported from Nigeria and deemed it fit to make a deportation order;

NOW THEREFORE, in exercise of the powers conferred upon the Governor-General by subsection (2) of section 14A of the Immigration Ordinance, it is hereby ordered and required that the said ISSAM SOUFAN shall leave Nigeria at the first available opportunity and shall thereafter remain out of Nigeria.

DATED the 27th day of April, 1959.

A. F. F. P. NEWNS,
Secretary to the Governor-General

PM25800/S. 167

L.N. 122 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1959

Revenue Allocation (Appointment of Prescribed Authorities)
Notice, 1959*Commencement : 7th May, 1959*Appointment of
prescribed
authorities.

1. In exercise of the powers conferred by section 154 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, after consultation with the Council of Ministers, has appointed the officers set out in the second column of the schedule hereto to be the prescribed authorities for the purposes of the provisions respectively set out in the first column thereof.

Revocation.
(L.N. 132
of 1954).

2. The Appointment of Prescribed Authorities under Chapter VI (Finance) Notice, 1954 is revoked.

SCHEDULE

*Provision of the
Nigeria (Constitution)
Order in Council
1954**Prescribed Authorities*

Section 155 (2)	Chairman, Board of Customs and Excise.
Section 156 (1) (b)	Chairman, Board of Customs and Excise.
Section 156 (2) (a)	Chairman, Board of Customs and Excise.
Section 156 (2) (b)	Chairman, Board of Customs and Excise.
Section 156 (3)	Chairman, Board of Customs and Excise.
Section 157 (2)	Chairman, Board of Customs and Excise.
Section 157 (3)	Chairman, Board of Customs and Excise.
Section 158 (2) (a)	Chairman, Board of Customs and Excise.

(for Hides and Skins and all produce other than Cocoa, Groundnuts, Cotton Lint, Palm Oil (edible), Palm Oil (technical), Cotton Seed, Palm Kernels and Bennisseed exported by the Nigerian Produce Marketing Company Limited in respect of which the Director, Marketing and Exports is the prescribed authority.)

Section 160 (1)	Chairman, Board of Inland Revenue.
Section 160 (2) (a)	Chairman, Board of Inland Revenue.
Section 161 (3)	Accountant-General of the Federation.
Section 161 (5)	Accountant-General of the Federation.
Section 164 (1)	Accountant-General of the Federation.
Section 164 (2)	Chairman, Board of Inland Revenue.
Section 164 (4)	Accountant-General of the Federation.
Section 164 (4A)	Accountant-General of the Federation.

GIVEN at Lagos this 6th day of May, 1959.

MAURICE JENKINS,
Acting Deputy Secretary to the
Council of Ministers

L.N. 123 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1958

Appointments and Discipline (Delegation)

(Nigeria Police Force) Notice, 1959

Commencement : 7th May, 1959

In exercise of the powers conferred by section 173 of the Nigeria (Constitution) Order in Council, 1954, the Governor-General, with the consent of the Secretary of State, has made the following delegation—

1. (1) This delegation may be cited as the Appointments and Discipline (Delegation) (Nigeria Police Force) Notice, 1959.

Citation and application.

(2) The following provisions of this delegation shall not apply in respect of an officer of the public service of the Federation who is serving with the Nigeria Police Force but who is not a member of that Force, and in respect of that officer the Inspector-General or other appropriate head of department shall have any powers relating to the appointment, promotion, transfer or dismissal of or disciplinary control over officers of the public service of the Federation vested in a head of department by virtue of any other delegation of those powers by the Governor-General under section 173 of the Nigeria (Constitution) Order in Council, 1954.

L.N. 16 of 1959.

(3) The following provisions of this delegation shall apply in respect of members of the Nigeria Police Force below the rank of Assistant Superintendent and to posts in that Force in respect of which the initial basic salary does not exceed £630 per annum or such other sum as may at any time be the initial basic salary of a Chief Inspector.

2. (1) In this delegation—

Interpretation.

"appointment" includes a temporary appointment and an appointment on probation, promotion, transfer or secondment, and includes the act of confirming any appointment ;

"basic salary" means salary without contract addition or inducement allowance ;

"initial basic salary" in relation to any post means the basic salary at the lowest point on the scale of salary applicable to such post.

(2) The definitions contained in the Police Ordinance shall apply to the construction of this delegation.

3. (1) The Inspector-General may make appointments to any post to which this delegation applies.

Power to appoint.

(2) Commissioners in charge of Regions, the Commissioner in charge of Lagos, and the senior officer of police in and in charge of the Southern Cameroons, may make appointments to the rank of sergeant-major and below.

(3) Superior police officers in charge of police provinces may make appointments to the rank of lance-corporal and constable.

4. The Inspector-General and any other superior police officer as authorised by regulations made under the Police Ordinance may dismiss or terminate the appointment of any officer in respect of whose appointment powers are conferred upon them by this delegation and may interdict such officer.

Power to dismiss, etc.

5. (1) The Inspector-General may exercise any disciplinary control (except surcharge) over any officer to whom this delegation applies.

Disciplinary powers.

(2) Superior police officers, and inspectors authorised in writing in that behalf by superior police officers in charge of police provinces, shall have such powers of disciplinary control as may be conferred upon them by regulations made under the Police Ordinance.

(3) A power of disciplinary control shall include a power to interdict an officer in respect of whom criminal or disciplinary proceedings are being instituted of such a nature that it is contrary to the public interest for that officer to remain at work.

MADE at Lagos this 25th April, 1959.

A. F. F. P. NEWS,
Secretary to the Governor-General

EXPLANATORY NOTE

This delegation provides for the powers of appointment and discipline which may be exercised by the Inspector-General of Police, and subject to the provisions of Police Regulations by other police officers, without reference to the Governor-General.

NP/1018