

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

## A BILL

FOR

AN ORDINANCE TO AMEND THE CUSTOMS AND EXCISE MANAGEMENT  
ORDINANCE, 1958 (No. 55 OF 1958).

Title.

[

]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the Customs and Excise Management  
(Amendment) Ordinance, 1960, and shall be of Federal application.

Short title  
and  
application.

Amendment  
of section 29.  
No. 55 of  
1958.

2. Section 29 of the Customs and Excise Management Ordinance, 1958, (hereinafter referred to as the principal Ordinance) is amended by—

(a) the deletion from subsection (2) and from the marginal note of the word "unentered" and the substitution thereof of the following—

"uncleared";

(b) the deletion from subsection (5) of the words "entered and".

Addition of  
new section  
134A.

3. The principal Ordinance is amended by the addition after section 134 of the following new section—

"Refund,  
waiver and  
reduction  
of deposit  
rents.

134A. When any goods are deposited in a customs area or in a Government Warehouse under or by virtue of any provision of this Ordinance and the Board is of the opinion that having regard to all the circumstances of the case no rent or a reduced rent should be charged therefor, it may waive or reduce any rent payable or refund the whole or any part of any rent paid under this Ordinance."

Amendment  
of Second  
Schedule.

4. The Second Schedule to the principal Ordinance is amended by the insertion in paragraph 1 after sub-paragraph (2) of the following new sub-paragraph—

"(3) In determining the normal price of any imported goods, a buying commission shall be included in the calculation, at a rate not less than such rate as the Board may by notice in the Gazette prescribe for the purposes of this sub-paragraph".

#### *Objects and Reasons*

This Bill seeks to amend the Customs and Excise Management Ordinance, 1958 (No. 55 of 1958) as follows:—

*Clause 2.*—Section 29 (2) (a) provides for the removal of goods unentered after fourteen days to a Government Warehouse or other approved place. This provision is amended to permit such removal where the goods have been entered but remain uncleared.

*Clause 3.*—Rent is payable under sections 18 and 88 for goods deposited in a customs area or Government Warehouse. It may happen that goods are so deposited without any default on the part of the importer and it would be inequitable to charge rent at the rate laid down. A new section 134A is therefore introduced enabling the Board to waive or reduce rents payable or refund rents paid.

*Clause 4.*—The Second Schedule sets out the method of calculating the value of imported goods. It is considered that a buying commission shall in all cases be included in the calculation at a rate not less than a rate to be determined by the Board and published in the Gazette, and a new sub-paragraph (3) to that effect is introduced into paragraph 1 of the Second Schedule.

# A BILL

FOR

AN ORDINANCE TO AMEND THE WEST AFRICAN EXAMINATIONS COUNCIL  
(NIGERIAN STATUS) ORDINANCE, 1952.

Title.

[

]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the West African Examinations  
Council (Nigerian Status) (Amendment) Ordinance, 1960, and shall be of  
Federal application.

Short title  
and applica-  
tion.

Amendment  
of section 2.  
No. 27 of  
1952.

2. Section 2 of the West African Examinations Council (Nigerian Status) Ordinance, 1952 (hereinafter referred to as the principal Ordinance) is amended—

(a) by the deletion of the words “established by section 3” and the substitution therefor of the following—

“established by section 3 of the Gold Coast Ordinance as amended by the West African Examinations Council (Amendment) Act, 1959,”;

(b) by the deletion of the words “within the Gold Coast” and the substitution therefor of the following—

“within Ghana”.

Repeal and  
replacement  
of section 3.

3. Section 3 of the principal Ordinance is repealed and replaced by the following section—

“Modifica-  
tion in  
relation to  
Nigeria of  
the Gold  
Coast  
Ordinance.

3. (1) The provisions of section 6 of the Gold Coast Ordinance (which relates to the powers of the Council) shall apply in relation to the powers of the Council in Nigeria as if for the words “Subject to any directions, specific or general, of the Secretary of State, the Council may” there were substituted the following—

“The Council may”.

(2) The provisions of section 8 of the Gold Coast Ordinance (which relates to the duties of the Council) shall apply in relation to the duties of the Council in Nigeria as if the words “and to any direction of a general character by the Secretary of State” were deleted from paragraph (d).

(3) The provisions of section 14 of the Gold Coast Ordinance (which relates to accounts and audit) shall apply in relation to the functions of the Council in Nigeria, save that the accounts may be made up and audited in Ghana.

(4) The provisions of section 17 of the Gold Coast Ordinance (which relates to the acquisition of land) shall not apply in relation to the functions of the Council in Nigeria.

(5) The provisions of section 21 of the Gold Coast Ordinance (which relates to discipline of employees of the Council) shall apply in relation to discipline of employees of the Council in Nigeria as if the proviso to subsection (1) were deleted.

(6) The provisions of section 22 of the Gold Coast Ordinance (which relates to the dissolution of the Council) shall not apply in relation to the Council in Nigeria”.

Amendment  
of section 4.

4. Section 4 of the principal Ordinance is amended by the deletion from subsection (1) of the words “in the Gold Coast” and the substitution therefor of the following—

“in Ghana”.

#### *Objects and Reasons*

The West African Examinations Council derives its legal existence from the Gold Coast Ordinance No. 40 of 1951. The status of the Council in Nigeria is governed by the West African Examinations Council (Nigerian Status) Ordinance, 1952, which applies the provisions of the Gold Coast Ordinance with certain modifications.

2. The Gold Coast Ordinance conferred a number of powers on the Secretary of State in connection with the Council, but changes in the status of Nigeria and Ghana make it inappropriate that these powers should continue to be vested in him. The purpose of this Bill is therefore to transfer these powers to the Council itself.

3. Similar amending legislation has been enacted by Ghana and Sierra Leone, and in particular the West African Examinations Council (Amendment) Act, 1959, of Ghana referred to in clause 2 of the Bill transfers from the Secretary of State to the Council his power of nomination of the Chairman.

4. Section 22 of the Gold Coast Ordinance which relates to the dissolution of the Council is considered unnecessary and is deleted in its application to Nigeria.

AJA NWACHUKU,  
*Minister of Education,*  
*Federation of Nigeria*

(Bills 638)