

The following Bills, which will in due course be presented to Parliament for enactment, are published for general information.

HIGH COURT OF LAGOS (AMENDMENT)

MEMORANDUM

The volume of work in the High Court of Lagos is such that it is essential for the number of judges to be increased from six to eight. It is the purpose of this Bill to make the necessary amendment to the High Court of Lagos Ordinance.

T. O. ELIAS,
Minister of Justice

ARRANGEMENT OF CLAUSES

Clause

1. Short title and application.
2. Amendment of section 4 of Cap. 80.

A BILL

FOR

AN ACT TO AMEND THE HIGH COURT OF LAGOS ORDINANCE (CHAPTER 80)

Title.

[

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Commence-
ment.

Enactment.

BE IT ENACTED by the Legislature of the Federation of Nigeria
in this present Parliament assembled and by the authority of the same
as follows—

1. This Act may be cited as the High Court of Lagos (Amendment)
5 Act, 1961, and shall apply to the Federal Territory of Lagos.

Short title
and
application.

2. Subsection (1) of section 4 of the High Court of Lagos Ordinance
(as adapted by the Adaptation of Laws (Federal Provisions) Order, 1960)
is hereby amended by the deletion of the word "six" and the substitution
therefor of the following—

Amendment
of section 4
Cap. 80.
L.N. 155 of
1960.

"eight".

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ROYAL STYLE AND TITLES

MEMORANDUM

As Nigeria is now part of the Commonwealth of Nations and no longer a British Dependency, it is necessary to make provision for the adaptation of the royal style and titles to accord with the practice elsewhere in the Commonwealth, and for issuing the usual proclamation. Both objects this Bill seeks to achieve.

T. O. ELIAS,
Minister of Justice

ARRANGEMENT OF CLAUSES

Clause

1. Short title and application.
2. Alteration of the Royal Style and Titles.

Schedule.

A BILL

FOR

AN ACT TO PROVIDE FOR AN ALTERATION OF THE ROYAL STYLE AND TITLES

Title.

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Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled, and by the authority of the same as follows—

Enactment.

1. This Act may be cited as the Royal Style and Titles Act, 1961,
5 and shall be of Federal application.

Short title
and
application.

2. The assent of the Legislature of the Federation of Nigeria is hereby given to the adoption by Her Majesty for use in relation to the Federation of Nigeria of the style and titles set out in the Schedule to this Act, in lieu of the style and titles at present appertaining to the
10 Crown, and to the issue by the Governor-General of a Proclamation, in the name of Her Majesty, for that purpose.

Alteration
of Royal
Style and
Titles.
Schedule.

SCHEDULE

Section 2

Style and titles referred to—

15 "Elizabeth the Second, Queen of Nigeria, and of Her other Realms and Territories, Head of the Commonwealth".

SHERIFFS AND CIVIL PROCESS BILL

MEMORANDUM

Under the existing law the Sheriff for Nigeria is the Inspector-General of Police, and deputy sheriffs are drawn from his subordinates. With the increase in police duties generally throughout Nigeria, it is essential that the duties of Sheriff and deputy sheriff be performed where possible by persons other than police officers, since the work is of a specialized nature and is not really a matter for the police.

The Sheriffs and Civil Process Ordinance (Cap. 189) is under consideration for replacement by other legislation at a later date; but the object of this Bill is to relieve the police of the shrievalty save in the Northern Region where that course is not practicable for the present. The Ordinance itself is a hybrid one in the sense that parts of it are now of Federal application and the rest is of application only to Lagos, and the amendment sought to be made by this Bill will have effect accordingly.

T. O. ELIAS,
Minister of Justice

SHERIFFS AND CIVIL² PROCESS BILL

ARRANGEMENT OF CLAUSES

Clause

1. Short title and application.
2. Section 3 of Ordinance replaced.
3. Section 4 of Ordinance replaced.
4. Section 12 of Ordinance amended.
5. Section 38 of Ordinance amended.

A BILL FOR

AN ACT TO AMEND THE SHERIFFS AND CIVIL PROCESS ORDINANCE

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BE IT ENACTED by the legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows:—

5 1. (1) This Act may be cited as the Sheriffs and Civil Process Act, 1961, and shall be read as one with the Sheriffs and Civil Process Ordinance (hereinafter referred to as the Ordinance).

Short title
and applica-
tion.
Cap. 189.

(2) Section 5 of this Act shall have effect only in Lagos, and subject thereto this Act shall apply to the Federation.

10 2. For section 3 of the Ordinance there is substituted the following new section—

Section 3 of
Ordinance
replaced.

15 3. (1) There shall from time to time be appointed by the Public Service Commission in each Region and in Lagos, fit persons to be sheriffs, but so that there shall be not more than one person in each Region or in Lagos holding the office of sheriff.

20 “(2) The person who immediately before the passing of this Act held office as the Sheriff for Nigeria shall, in the Northern Region, continue to be the Sheriff for that Region and be deemed to have been appointed under this Act; and elsewhere in the Federation, the persons who at the commencement of this Act hold office as Chief Registrars of the High Court shall be deemed to have been appointed under this Act as the respective sheriffs.”

Section 4 of
Ordinance
replaced.

25 3. For section 4 of the Ordinance there is substituted the following new section—

"Appoint-
ment of
deputy
sheriffs.

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4. (1) There may from time to time be appointed by the Public Service Commission in each Region and in Lagos one or more fit persons to be deputy sheriffs who shall be subject to the general control of the sheriff in the Region or in Lagos, as the case may be. A deputy sheriff shall have and may exercise all the powers of a sheriff; and the fact that a deputy sheriff exercises any power shall be sufficient evidence of his authority so to do, and no person shall be concerned to inquire whether the occasion has arisen requiring or authorising him so to do.

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(2) The persons above the rank of cadet assistant superintendent of police who, immediately before the passing of this Act, held office as deputy sheriffs in the Northern Region shall continue to be deputy sheriffs for that Region and be deemed to have been appointed under this Act; and in the Eastern and Western Regions, any person who, at the commencement of this Act holds office as registrar of a Chief Magistrate's Court, or where there is no Chief Magistrate holds office as registrar of a Magistrate's Court, shall be deemed to have been appointed under this Act as a deputy sheriff for the Eastern or Western Region as the case may be.

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(3) Where in any Region no deputy sheriff is present at the place where a court is sitting, the court may detail any officer of the court to be a deputy sheriff for the purpose of executing any process of such court."

Section 12 of
Ordinance
amended.

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4. Section 12 of the Ordinance is amended by substituting for all words after "execution" where it first occurs, the words "the Superintendent of Prisons where the condemned prisoner is, shall execute the sentence in the presence of the Sheriff or a deputy sheriff as the case may be."

Section 38 of
Ordinance
amended.

5. Subsection (1) of section 38 of the Ordinance is amended by substituting for the words "shall be directed to the sheriff", the words "may be directed to any police officer".

(Bills 726)