

Supplement to Official Gazette Extraordinary No. 24, Vol. 48, 7th April, 1961
—Part C

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

NIGERIA CONSTITUTION FIRST AMENDMENT

MEMORANDUM

The object of this Bill is to ensure that the Director of Public Prosecutions acts subject to the directions of the Attorney-General of the Federation.

T. O. ELIAS,
*Attorney-General of the Federation,
and Minister of Justice*

(Ic.6/8)

NIGERIA CONSTITUTION FIRST AMENDMENT

ARRANGEMENT OF CLAUSES

Clause

1. Short title, etc.
2. Control of Federal Director of Public Prosecutions.

A BILL FOR

AN ACT TO AMEND THE CONSTITUTION BY MAKING OTHER PROVISION
FOR THE FEDERAL DIRECTOR OF PUBLIC PROSECUTIONS

[see section 1 (2)]

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—

5 1. (1) This Act may be cited as the Nigeria Constitution First Amendment Act, 1961, and shall be read as one with the Nigeria (Constitution) Order in Council, 1960.

Short title,
etc.

(2) This Act shall come into operation on a date to be fixed by the Governor-General by proclamation in the Gazette and shall have effect throughout Nigeria.

10 2. Section 97 of the Second Schedule to the Nigeria (Constitution) Order in Council, 1960 is amended,—

Control of
Federal
Director of
Public
Prosecutions.

15 (a) in subsection (5) by repealing the words “by paragraphs (b) and (c) of subsection (2) of this section shall be vested in him to the exclusion of any other person or authority” and substituting therefor the words “by this section shall be vested in him subject to the direction and control of the Attorney-General”;

(b) by repealing subsection (6);

(c) by renumbering subsections (7) and (8) as subsections (6) and (7) respectively.

BORSTAL INSTITUTIONS AND REMAND CENTRES (AMENDMENT)

MEMORANDUM

The object of this Bill is to ensure that the Minister may appoint as Remand Centres and Borstal Institutions only such places as are situated on land which has been set aside or acquired for the public purposes of the Federation.

USMAN SAREI,
*Minister of Internal Affairs,
Federation of Nigeria*

(Bills 738)

BORSTAL INSTITUTIONS AND REMAND CENTRES
(AMENDMENT)

ARRANGEMENT OF CLAUSES

Clause

1. Short title, etc.
2. Section 3 of Ordinance amended.

A BILL

FOR

AN ACT TO AMEND THE BORSTAL INSTITUTIONS AND REMAND CENTRES
ORDINANCE, 1960

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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—

Com-
mencement.

1. (1) This Act may be cited as the Borstal Institutions and Remand Centres (Amendment) Act, 1961, and shall be read as one with the Borstal Institutions and Remand Centres Ordinance, 1960.

Short title,
etc.No. 32 of
1960.

(2) The Act shall come into operation on a day to be appointed by the Minister by notice in the Gazette and shall have effect throughout the Federation.

2. Subsection (1) of section 3 of the Borstal Institutions and Remand Centres Ordinance, 1960 is amended by substituting for the word "within" the words "situated on land which has been set aside or acquired for the public purposes of".

Section 3
of Ordinance
amended.

This Bill replaces the Non-Pensionable Railway Servants' Provident Fund Reserve (Application) (Amendment) Bill, published in the Supplement to the Federation of Nigeria *Official Gazette* No. 2, Vol. 48 of 12th January, 1961.

NON-PENSIONABLE RAILWAY SERVANTS' PROVIDENT FUND RESERVE
APPLICATION (AMENDMENT)

MEMORANDUM

The Bill seeks to amend the Non-Pensionable Railway Servants' Provident Fund Reserve (Application) Ordinance by making other provision for the appointment of the managing trustees of the Reserve Fund from amongst those interested in such Fund, and for the employment of any necessary staff.

F. S. OKOTIE-BOH,
Minister of Finance

NON-PENSIONABLE RAILWAY SERVANTS' PROVIDENT
FUND RESERVE APPLICATION (AMENDMENT)

ARRANGEMENT OF CLAUSES

Clause

1. Short title, etc.
2. Section 3 of Ordinance amended.
3. Section 8 of Ordinance amended.

A BILL
FOR

**AN ACT TO AMEND THE NON-PENSIONABLE RAILWAY SERVANTS' PROVIDENT
FUND RESERVE (APPLICATION) ORDINANCE (CHAPTER 140)**

[]

Com-
mencement.

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. (1) This Act may be cited as the Non-Pensionable Railway Servants' Provident Fund Reserve (Application) (Amendment) Act, 1961, and shall be read as one with the Non-Pensionable Railway Servants' Provident Fund Reserve (Application) Ordinance (hereinafter referred to as the Ordinance).

Short title,
etc.
Cap. 140.

(2) This Act shall be of Federal application.

10 2. Paragraph (b) of subsection (2) of section 3 of the Ordinance is amended by substituting for all words after the word "trustees" where it secondly occurs, the words "and be approved from amongst those who were contributors to or have an interest in the Reserve Fund."

**Amendment
of section 3.
Cap. 140.**

3. Section 8 of the Ordinance is amended by repealing the words
15 "as they think necessary" and by substituting therefor the words "as
are from time to time prescribed by regulations under this Ordinance".

**Amendment
of section 8.**

ROAD TRAFFIC (AMENDMENT)

MEMORANDUM

The number of traffic offenders on whom summonses have not yet been served is high throughout the Federation. This is due mainly to the fact that many offenders, on being asked to state their address, give one which is false or misleading.

2. The object of this Bill is to enable police officers to retain a driving licence of an offender where it is considered that any difficulty is likely to arise in the service of a summons, until the offender reports to a police station to collect it or a summons is in fact served on the offender.

3. This Bill applies to Lagos only, and it is intended that Regional Governments will be asked to consider introducing legislation on similar lines.

ALHAJI TAFAWA BALEWA,
*Prime Minister,
Federation of Nigeria*

(Bills 679)

ROAD TRAFFIC (AMENDMENT)

ARRANGEMENT OF CLAUSES

Clause

1. Short title, etc.
2. Section added to Ordinance.

A BILL FOR

AN ACT TO AMEND THE ROAD TRAFFIC ORDINANCE.

[

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 :—

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

Short title,
etc.

2. The Road Traffic Ordinance, is amended by the insertion after section 25 of the following new section—

Insertion
of new
section 25A.
No. 43 of
1947.

“Power to
retain
driving
licence in
certain
circum-
stances.

25A. (1) Subject to the provisions of this section, any police officer may retain the driving licence of any person who commits within his view, or whom he reasonably suspects of having committed an offence under this Ordinance or under any regulation made thereunder, if he reasonably considers that any difficulty is likely to arise in the service of a summons on such person.

(2) A police officer who retains the driving licence of any person under this section shall thereupon give to him a written statement signed and dated by the officer to the effect that the licence has been so retained and indicating the police station at which the licence may be claimed.

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(3) A driving licence retained under this section shall be returned to the holder upon his giving a written acknowledgement signed and dated by him to the effect that it has been so returned—

(a) if he reports in person not less than three days after the date of its retention, at the police station mentioned in the written statement given in accordance with subsection (2); or 10

(b) if a summons relating to the offence committed or suspected to have been committed by him is served on him. ” 15