

L.N. 120 of 1961

REGISTRATION OF BUSINESS NAMES ACT, 1961
(No. 17 of 1961)

Appointed Day Notice

In exercise of the powers conferred by section 1 of the Registration of Business Names Act, 1961, the Governor-General, after consultation with the Council of Ministers, has appointed the First day of October, 1961 as the date upon which the said Act shall come into operation.

ISA KOTO,
*Acting Deputy Secretary to the
Council of Ministers*

Lagos, 21st September, 1961.

L.N. 121 of 1961

REGISTRATION OF BUSINESS NAMES ACT, 1961
(No. 17 of 1961)

Registration of Business Names Regulations, 1961

Commencement : 28th September, 1961

In exercise of the powers conferred by section 18 of the Registration of Business Names Act, 1961, the Governor-General, after consultation with the Council of Ministers, has made the following regulations :

- | | |
|--|-------------------------------|
| 1. These regulations may be cited as the Registration of Business Names Regulations, 1961, and shall be of Federal application. | Citation and application. |
| 2. Forms 1 and 2 in the First Schedule hereto shall be the prescribed forms for the purposes of section 7 of the Act, and shall be furnished to the Registrar in duplicate. | First Schedule Forms 1 and 2. |
| 3. (1) Form 3 in the First Schedule hereto shall be the prescribed form of certificate to be issued by the Registrar under section 10 (1) of the Act. | Form 3. |
| (2) Every such certificate shall be prepared and signed in original and duplicate and the duplicate shall be retained by the Registrar and filed by him. Such duplicates so filed shall constitute a register of certificates. | |
| 4. For the purposes of section 9 of the Act, details of any change in the registered particulars of a firm or individual shall be furnished to the Registrar in the manner set out in Form 4 in the First Schedule hereto. | Form 4. |
| 5. For the purposes of section 11 (1) of the Act, details of the cessation of a business shall be notified to the Registrar in the manner set out in Form 5 in the First Schedule hereto. | Form 5. |
| 6. The fees set out in the Second Schedule shall be payable to the Registrar. | Second Schedule. |

MADE at Lagos this 21st day of September, 1961.

ISA KOTO,
Acting Deputy Secretary to the Council of Ministers

FIRST SCHEDULE

FORM 1

*Registration of Business Names Act, 1961*FORM OF APPLICATION FOR REGISTRATION OF A BUSINESS NAME
(for use by Firms)

- (a) The business name (if the business is carried on under two or more business names, each of those names should be stated).
- (b) The general nature of the business.
- (c) The full postal address of the place of business.
- (d) The full postal address of each branch.
- (e) The following particulars in respect of *each* of the partners (other than corporations)—
 - (i) the present forenames and surname
 - (ii) any former forenames or surname
 - (iii) the nationality
 - (iv) any former nationality
 - (v) the age
 - (vi) the sex
 - (vii) the usual residential address
 - (viii) any other business occupation
 - (ix) the forenames and surname of the husband of any married woman who is a partner.
- (f) The following particulars in respect of *each* corporation which is a partner—
 - (i) the corporate name
 - (ii) the address of the registered office.
- (g) The date of commencement of the business.
- (h) *To be completed only by a firm carrying on business on behalf of another individual whether as nominee or trustee.*

The following particulars in respect of *each* individual on whose behalf the business is carried on—

- (i) the present forenames and surname
- (ii) any former forenames or surname
- (iii) the nationality
- (iv) any former nationality
- (v) the usual residential address.
- (i) *To be completed only by a firm carrying on business on behalf of another firm or corporation whether as nominee or trustee.*

The name of *each* firm or corporation on whose behalf the business is carried on.

- (j) *To be completed only by a firm carrying on business, as general agent for less than three concerns carrying on business outside Nigeria and not having a place of business in Nigeria.*

The following particulars in respect of *each* such concern—

(i) the name

(ii) the full postal address.

(k) *To be completed only by a firm carrying on business as general agent for three or more concerns carrying on business outside Nigeria and not having a place of business in Nigeria.*

The countries in which such concerns carry on business.

(l) We hereby certify that the foregoing particulars are, to the best of our knowledge and belief, correct and we undertake to notify the Registrar of Business Names whenever any change is made or occurs in any of them other than the age of any of the partners.

..... }
 } *Signatures of all the*
 } *partners in the firm*
 } *(see notes below)*

DATED this day of 19.....

Notes : 1. If one of the partners is a minor, section (1) of the application form must additionally be signed by a magistrate, legal practitioner or police officer of or above the rank of Assistant Superintendent of Police.

2. If one of the partners is a corporation, section (1) of the application form must be signed by a director or by the secretary of such corporation.

3. Any person who completes an application form at the request, on behalf, or in the name of any illiterate person must, in compliance with the provisions of the Illiterates Protection Ordinance (Cap. 83), write thereon his own name as the writer thereof, his address and the fees he has charged.

FORM 2

Registration of Business Names Act, 1961

FORM OF APPLICATION FOR REGISTRATION OF A BUSINESS NAME *(for use by individuals)*

- (a) The business name (if the business is carried on under two or more business names, each of those names should be stated).
- (b) The general nature of the business.
- (c) The full postal address of the principal place of business.
- (d) The full postal address of each branch.
- (e) The present forenames and surname.
- (f) Any former forenames or surname.
- (g) The nationality.
- (h) Any former nationality.
- (i) The age.
- (j) The sex.
- (k) The usual residential address.
- (l) Any other business occupation.

- (m) If a married woman, the forenames and surname of the husband.
- (n) The date of commencement of the business.
- (o) *To be completed only by an individual carrying on business on behalf of another individual whether as trustee or nominee.*

The following particulars in respect of *each* individual on whose behalf the business is carried on—

- (i) The present forenames and surname.
- (ii) Any former forenames or surname.
- (iii) The nationality.
- (iv) Any former nationality.
- (v) The usual residential address.
- (p) *To be completed only by an individual carrying on business on behalf of another firm or corporation whether as nominee or trustee.*

The name of *each* firm or corporation on whose behalf the business is carried on.

- (q) *To be completed only by an individual carrying on business as general agent for less than three concerns carrying on business outside Nigeria and not having a place of business in Nigeria.*

The following particulars in respect of *each* such concern—

- (i) the name
- (ii) the full postal address.
- (r) *To be completed only by an individual carrying on business as general agent for three or more concerns carrying on business outside Nigeria and not having a place of business in Nigeria.*

The countries in which such concerns carry on business.

- (s) I hereby certify that the foregoing particulars are, to the best of my knowledge and belief, correct and I undertake to notify the Registrar of Business Names whenever any change is made or occurs in any of them other than the age of the individual.

Signature of person registering
(see notes below)

DATED this.....day of.....19.....

Notes : 1. If the person registering is a minor, section (s) of the application form must additionally be signed by a magistrate, legal practitioner or police officer of or above the rank of Assistant Superintendent of Police.

2. If the individual is a corporation, section (s) of the application form must be signed by a director or by the secretary of such corporation.

3. Any person who completes an application form at the request, on behalf, or in the name of any illiterate person must, in compliance with the provisions of the Illiterates Protection Ordinance (Cap. 83), write thereon his own name as the writer thereof, his address and the fees he has charged.

FORM 3

Registration of Business Names Act, 1961

CERTIFICATE OF REGISTRATION

I hereby certify that the following business name has been registered under the above-mentioned Act as No.

Name.....

and that the following particulars were contained in the form of application—

(i) The general nature of the business :

(ii) The address of the principal place of business.....

DATED this.....day of.....19.....

Registrar of Business Names

L.N. 122 of 1961

TRADE MARKS ORDINANCE (CHAPTER 199)

Trade Marks (Fees) Regulations, 1961

Commencement : 28th September, 1961

In exercise of the powers conferred by section 61 of the Trade Marks Ordinance, the Governor-General, acting in accordance with the advice of the Council of Ministers, has made the following regulations—

1. These regulations may be cited as the Trade Marks (Fees) Regulations, 1961, and shall be of Federal application.

2. The First Schedule to the Trade Marks Regulations is revoked and the following substituted therefor—

"FIRST SCHEDULE

	£	s	d
1. On application to register a trade mark for one or more articles included in one class	3	0	0
2. On application under section 62 for leave to register a mark for goods in more than one class	1	10	0
in respect of every class	1	10	0
Total fee in no case to exceed £30 for any number of classes			
3. For registration of a trade mark for one or more articles included in one class	3	0	0

Citation and application.

Amendment of First Schedule (Vol. X page 2529).

	£	s	d
4. On application to register a series of marks for one or more articles included in one class	1	10	0
5. For registration of a series of trade marks for one or more articles included in one class—			
for the first mark	3	0	0
for every other mark of the series	0	7	6
6. For registration under section 62 of a mark for goods in more than one class—			
in respect of every class	3	0	0
7. On notice of opposition, for each application opposed by opponent	3	0	0
8. On filing counter-statement in answer to a notice of opposition, by the applicant for each application opposed	1	10	0
9. On application to register a subsequent proprietor in cases of assignment or transmission of a single mark—			
if made within six months from date of acquisition of proprietorship or the coming into force of these Regulations	3	0	0
if made after expiration of six months but within twelve months from the date of acquisition of proprietorship or the coming into force of these Regulations	3	15	0
if made after expiration of twelve months from the date of acquisition of proprietorship or the coming into force of these Regulations	4	10	0
10. On application to register a subsequent proprietor of more than one mark standing in the same name, the devolution of title being identical in each case—			
if made within six months from date of acquisition of proprietorship or the coming into force of these Regulations—			
for the first mark	3	0	0
for every other mark	0	5	0
if made after expiration of six months but within twelve months from the date of acquisition of proprietorship or the coming into force of these Regulations—			
for the first mark	3	15	0
for every other mark	0	5	0
if made after expiration of twelve months from the date of acquisition of proprietorship or the coming into force of these Regulations—			
for the first mark	4	10	0
for every other mark	0	5	0
11. For every additional mark assigned or transmitted at the same time	0	7	0
12. On application to change the name of a proprietor of a single mark where there has been no alteration in the proprietorship	0	15	0
13. On application to change the name of a proprietor of more than one mark standing in the same name, the change being the same in each case—			
for the first mark	0	15	0
for every other mark	0	5	0

	£	s	d
14. For renewal of registration of mark at the expiration of last registration	3	0	0
15. For renewal of registration of a series of marks at the expiration of last registration—			
for the first mark of the series	3	0	0
for every other mark of the series	0	5	0
16. Additional fee under regulation 38	1	10	0
17. Additional fee under regulation 39	3	0	0
18. For altering a single entry of the address of a registered proprietor	0	15	0
19. For altering more than one entry of the address of a registered proprietor where the address in each case is the same and is altered in the same way—			
for the first entry	3	15	0
for every other entry	0	5	0
20. For every entry in the register of rectification thereof, or an alteration therein, not otherwise charged	1	10	0
21. For cancelling the entry or part of the entry of a trade mark upon the register, on the application of the owner of such trade mark	0	15	0
22. On request not otherwise charged under sections 38 and 39 of the Ordinance	0	15	0
23. For certificate of refusal to register a trade mark	1	10	0
24. For certificate of refusal at the same time for more than one trade mark, for each additional trade mark, after the first	0	15	0
25. For certificate of registration to be used in legal proceedings	1	10	0
26. For certificate of Registrar not otherwise charged and other than certificate under regulation 35	0	15	0
27. For inspecting register, or notice of opposition, counter-statement or decision in connection with any opposition or application for rectification of the register relating to any particular trade mark	0	15	0
28. For inspecting documents lodged in connection with the registration of a trade mark	0	5	0
29. For office copy of documents—			
for each of the first three folios of one hundred words or part thereof	0	4	0
for each subsequent folio of one hundred words or part thereof	0	2	0
Minimum charge	0	12	0
30. For certifying office copies, manuscripts or printed matter	0	15	0
31. On an application to the Registrar to state grounds of decision and materials used under section 15 (2) of Ordinance	1	10	0

	£	s	d
32. For endorsement of certificate of registration by the Registrar under Regulation 4—			
for each certificate	0	7	6
33. On an application to the Registrar under section 29 of Ordinance	7	10	0
34. On an application to the Registrar for leave to add to or alter a single mark	3	0	0
35. On an application to the Registrar for leave to add to or alter more than one mark of the same proprietor, the addition or alteration to be made in each case being the same—			
for the first mark	3	0	0
for every other mark	1	10	0
36. For search by Registrar	1	10	0
37. Where a block exceeds two inches in breadth or depth, or in breadth and depth—			
for every inch or part of an inch over two inches in breadth	0	6	0
for every inch or part of an inch over two inches in depth	0	6	0

MADE at Lagos this 21st day of September, 1961.

ISA KOTO,
Acting Deputy Secretary to the
Council of Ministers

L.N. 123 of 1961

PRODUCE (ENFORCEMENT OF EXPORT STANDARDS) ORDINANCE, 1959 (No. 121 of 1959)

Cotton Lint and Cotton Seed (Inspection for Export) Regulations, 1961

Commencement: 28th September, 1961

In exercise of the powers conferred by section 7 of the Produce (Enforcement of Export Standards) Ordinance, 1959, the Federal Minister of Commerce and Industry with the advice of the Produce Inspection Board has made the following regulations—

Citation and application.

1. These regulations may be cited as the Cotton Lint and Cotton Seed (Inspection for Export) Regulations, 1961, and shall apply in the Federal Territory and at all ports of shipment of produce for export throughout the Federation.

Prohibition of export of contaminated cotton lint or seed.

2. Except as provided by section 9 of the Produce (Enforcement of Export Standards) Ordinance, 1959, no person shall ship or attempt to ship cotton lint or cotton seed which, though it has been prepared for export, has subsequently been contaminated by water or any other deleterious substance.

Marking of bales of cotton lint for export.

3. (1) No person shall export any cotton lint unless every bale has been marked in such a way as to indicate clearly the name of its owner, the situation of the ginnery where the cotton was ginned, the weight of the bale, and the crop year to which the lint relates.

(2) No bale shall bear any marks other than those prescribed in paragraph (1) of this regulation and such other marks as may be approved by the holder of an exclusive licence to export cotton lint granted under the provisions of the Export of Nigerian Produce Ordinance, 1958.

4. The Cotton (Inspection for Export) Regulations, 1951, to the extent that they apply to the Federal Territory and all ports of shipment of produce for export from Nigeria are revoked.

Revocation
of Regula-
tion 30 of
1951.

MADE at Lagos this 7th day of September, 1961.

Z. B. DIPCHARIMA,
*Federal Minister of Commerce
and Industry*

L.N. 124 of 1961

FACTORY ORDINANCE (CAP. 66)
FACTORIES (NOTIFICATION OF DANGEROUS
OCCURRENCES) REGULATIONS, 1961

Appointed Day Notice

In pursuance of Regulation 1 (2) of the Factories (Notification of Dangerous Occurrences) Regulations, 1961, notice is hereby given that 22nd September, 1961, has been appointed as the date for the coming into operation of the said Regulations.

L.N. 105
of 1961.

DATED at Lagos this 21st day of September, 1961.

J. M. JOHNSON,
Federal Minister of Labour

ML.04/18