

Supplement to Official Gazette Extraordinary No. 18, Vol. 50, 26th March,
1962—Part C

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

ARMY BILL

EXPLANATORY MEMORANDUM

The purpose of this Bill is to transfer certain powers to reduce soldiers in rank from commanding officers to officers holding higher rank.

MUHAMMADU RIBADU,
Minister of Defence

A BILL

FOR

AN ACT TO TRANSFER TO THE COMMANDER OF THE ARMY CERTAIN POWERS OF COMMANDING OFFICERS TO AWARD SUMMARILY THE PUNISHMENTS OF REDUCTION IN RANK OR TO THE RANKS OR DISMISSAL FROM THE SERVICE ; TO MAKE FURTHER PROVISION FOR THE REDUCTION OTHERWISE THAN AS A PUNISHMENT OF WARRANT OFFICERS AND NON-COMMISSIONED OFFICERS ; AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

[See section 2 (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) A commanding officer shall not have power, in dealing summarily with a charge against a non-commissioned officer (other than a lance-corporal), a soldier or a boy, to award the punishment—

Reduction of
W.Os and
N.C.Os and
dismissal of
soldiers.

(a) in the case of a non-commissioned officer, of reduction in rank or to the ranks ;

(b) in the case of a soldier or boy, of dismissal from the service.

10 (2) Where a commanding officer, in dealing summarily with such a charge, records a finding of guilty and considers it appropriate that such a punishment as aforesaid should be awarded (either alone or in addition to any other punishment), he shall refer the case in the prescribed manner to the Commander ; and the Commander shall, as he thinks
15 just, either—

(a) award one or more of—

(i) the punishments mentioned in subsection (1) of this section in relation to that case ; and

20 (ii) the punishments which the commanding officer could have awarded in that case ; or

(b) quash the finding of guilty.

(3) Where it appears to the Commander that a warrant or non-commissioned officer (other than a lance-corporal) is unable to perform satisfactorily the functions of his rank, the Commander may by order
25 reduce the warrant or non-commissioned officer to such rank as may be specified by the order or to the ranks ; and where it appears to a commanding officer that a lance-corporal serving under his command is unable to perform satisfactorily the functions of his rank, the commanding officer may by order reduce the lance-corporal to the ranks.

30 (4) The Commander may by order provide that the powers conferred on him by subsections (2) and (3) of this section to reduce corporals in rank and to the ranks may be exercised by officers not below the rank of brigadier under whose command the corporals are serving ; and references in those subsections to the Commander shall be construed
35 accordingly.

No. 26 of
1960.

(5) Expressions used in the foregoing provisions of this section and the Royal Nigerian Army Act, 1960, have the same meanings in those provisions as in that Act; and the provisions of that Act relating to regulations and orders shall apply for the purposes of this section as they apply for the purposes of that Act.

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(6) The provisions of the said Act of 1960 mentioned in the first column of the Schedule to this Act shall have effect subject to the amendments set out in relation to those provisions in the second column of that Schedule, being amendments consequential on the foregoing provisions of this section.

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Short title,
extent and
commence-
ment.

2.—(1) This Act may be cited as the Army Act, 1963, and shall apply throughout the Federation.

(2) This Act shall come into force on such date as the Minister of the government of the Federation responsible for defence may by order appoint.

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Section 1

SCHEDULE

Consequential amendments of Act of 1960

<i>Provision of Act amended</i>	<i>Amendment</i>
Subsection (3) of section eighty (summary punishments)	In paragraph (a), in subparagraph (i), for the words "or any less reduction in rank" there shall be substituted the words "in the case of a lance-corporal". In paragraph (b), subparagraph (ii) shall be omitted. In paragraph (c), subparagraph (i) shall be omitted.
Subsection (1) of section one hundred and eighty (reduction of warrant officers)	For the words from "an officer" onwards there shall be substituted the words "the Commander".
Subsection (2) of section one hundred and eighty (reduction of N.C.Os.)	For the words from "except" onwards there shall be substituted the words— "except— (a) by sentence of a court-martial under service law; or (b) in the case of a non-commissioned officer other than a lance-corporal, by award or order of the Commander or of an officer by whom the Commander's powers of reduction are exercisable by virtue of the Army Act, 1963; or (c) in the case of a lance-corporal, by award or order of his commanding officer."

MEDICAL AND DENTAL PRACTITIONERS BILL, 1963

EXPLANATORY MEMORANDUM

The object of this Bill is to rationalise the basis of medical and dental education and, in consequence, to make new provision for the registration, discipline and other matters relating to the medical and dental professions.

M. A. MAJEKODUNMI,
Minister of Health

MEDICAL AND DENTAL PRACTITIONERS BILL

ARRANGEMENT OF CLAUSES

Clause

The Nigeria Medical Council

1. Establishment and functions of the council.
2. Financial provisions.
3. Control of council by Minister.

The registers

4. Preparation and maintenance of registers.
5. Publication of registers and lists of corrections.

Registration

6. Full registration of medical practitioners and registration of dental surgeons.
7. Approval of courses, qualifications and institutions.
8. Supervision of instruction and examinations leading to approved qualifications.
9. Grant of approved qualifications by council in special cases.
10. Certificates of experience.
11. Provisional registration of medical practitioners.

Professional discipline

12. Establishment of disciplinary tribunal and investigating panel.
13. Penalties for unprofessional conduct, etc.

Miscellaneous and general

14. Offences.
15. Miscellaneous supplementary provisions.
16. Regulations, rules and orders.
17. Transitional provisions, and repeal.
18. Interpretation, etc.
19. Short title, extent and commencement.

SCHEDULES :

First Schedule—Supplementary provisions relating to the council.

Second Schedule—Supplementary provisions relating to the disciplinary tribunal and investigating panel.

A BILL

FOR

AN ACT TO REGULATE THE MEDICAL AND DENTAL PROFESSIONS ; AND FOR PURPOSES
CONNECTED THEREWITH.

[See section 19 (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 :—

The Nigeria Medical Council

- 5 1.—(1) There shall be established a body, to be known as the Nigeria Medical Council (and hereafter in this Act referred to as “the council”) which shall be a body corporate by the name aforesaid and shall be charged with the general duty of—
- Establish-
ment and
functions of
the council.
- 10 (a) determining what standards of knowledge and skill are to be attained by persons seeking to become members of the medical or dental profession and raising those standards from time to time as circumstances may permit ;
- 15 (b) securing in accordance with the provisions of this Act the establishment and maintenance of registers of persons entitled to practise as members of the medical or dental profession and the publication from time to time of lists of those persons ; and
- (c) performing the other functions conferred on the council by this Act.
- 20 (2) Subject to the provisions of this Act, the council shall consist of a total of twenty-five members and shall comprise—
- (a) one person who shall be appointed as president of the council ;
- (b) four persons nominated by the Minister, of whom each shall be a person appearing to the Minister to be engaged in the practice of medicine in a different territory within the meaning of the Constitu-
- 25 tion of the Federation ;
- (c) fourteen persons of whom—
- (i) two shall be appointed by the Minister from among the officers of his Ministry ;
- 30 (ii) six shall be appointed, as to two each by the Ministers responsible for health of the governments of Northern, Western and Eastern Nigeria respectively from among the officers of their respective Ministries ;
- 35 (iii) three shall be appointed by the medical school council of the University of Lagos after considering any recommendations in that behalf made by the dean of the school ;
- (iv) three shall be appointed by the Council of the University of Ibadan after considering any recommendations in that behalf made by the dean of the faculty of medicine of that university ; and
- 40 (d) six persons elected by members of the Nigeria Medical Association in the manner for the time being provided by the constitution of the association.

(3) The provisions of the First Schedule to this Act shall have effect with respect to the qualifications and tenure of office of members of the council, the powers and procedure of the council and the other matters there mentioned.

(4) Regulations may provide for increasing or reducing the membership of the council, and may make such consequential amendments of paragraph 1 of the First Schedule to this Act as the Minister considers expedient in the consequence of the increase or reduction. 5

Financial provisions.

2.—(1) The council shall prepare and submit to the Minister, not later than the thirty-first day of December of the year in which this subsection comes into force and of each subsequent year, an estimate of its expenditure and income during the next succeeding financial year. 10

(2) The council shall keep proper accounts in respect of each financial year, and proper records in relation to those accounts, and shall cause its accounts to be audited as soon as may be after the end of the financial year to which the accounts relate by a firm of auditors approved, as respects that year, by the Minister of the government of the Federation responsible for finance. 15

(3) The Minister may, out of moneys provided by Parliament, make to the council either by way of grant or by way of loan payments of such amounts as Parliament may from time to time determine. 20

Control of council by Minister.

3.—(1) The Minister may give to the council directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the council of its functions, and it shall be the duty of the council to comply with the directions. 25

(2) Before giving a direction under the foregoing subsection the Minister shall serve a copy of the proposed direction on the council and shall afford the council an opportunity of making representations to him with respect to the direction; and after considering any representations made to him in pursuance of this subsection the Minister may give the direction either without modification or with such modifications as appear to him to be appropriate having regard to the representations. 30

The registers

Preparation and maintenance of the registers.

4.—(1) It shall be the duty of the council to appoint a fit person to be the registrar for the purposes of this Act. 35

(2) It shall be the duty of the registrar to prepare and maintain, in accordance with rules made by the council under this section, registers of the names, addresses and approved qualifications, and of such other particulars as may be specified, of all persons who are entitled in accordance with the provisions of this Act to be registered as medical practitioners or dental surgeons and who apply in the specified manner to be so registered. 40

(3) Separate registers shall be maintained for medical practitioners and dental surgeons respectively, and the register of medical practitioners shall consist of two parts, of which one shall be in respect of fully registered and the other in respect of provisionally registered persons. 45

(4) Subject to the following provisions of this section, the council shall make rules with respect to the form and keeping of the registers and the making of entries therein, and in particular—

5 (a) regulating the making of applications for registration and providing for the evidence to be produced in support of applications ;

(b) providing for the notification to the registrar, by the person to whom any registered particulars relate, of any change in those particulars ;

10 (c) authorising a registered person to have any qualification which is, in relation to the relevant profession, either an approved qualification or an accepted qualification for the purposes of subsection (2) of section six of this Act, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered ;

15 (d) specifying the fees to be paid to the council in respect of the entry of names on the registers and authorising the registrar to refuse to enter a name on a register until any fee specified for the entry has been paid ;

20 (e) specifying anything falling to be specified under the foregoing provisions of this section ;

but rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed by order of the Minister.

(5) It shall be the duty of the registrar—

25 (a) to correct, in accordance with the council's directions, any entry in a register which the council directs him to correct as being in the council's opinion an entry which was incorrectly made ;

(b) to make from time to time any necessary alterations in the registered particulars of registered persons ;

30 (c) to remove from the part of the register of medical practitioners which relates to provisionally registered persons all particulars relating to a person registered in the other part of that register ; and

(d) to remove from the relevant register the name of any registered person who has died.

35 (6) If the registrar—

(a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting it ; and

40 (b) upon the expiration of that period sends in like manner to the person in question a second similar letter and receives no reply to that letter within three months from the date of posting it,

45 the registrar may remove the particulars relating to the person in question from the relevant register ; and the council may direct the registrar to restore to the appropriate part of the register of medical practitioners or, as the case may be, to the register of dental surgeons, any particulars removed therefrom under this subsection.

Publication
of registers
and lists
of
corrections.

5.—(1) It shall be the duty of the registrar—

(a) to cause both registers to be printed, published and put on sale to members of the public, not later than two years from the beginning of the year in which this subsection comes into force; and

(b) in each year after that in which a register is first published under paragraph (a) above, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alterations made to the register since it was last printed; and

(c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the council; and it shall be the duty of the council to keep the registers and lists so deposited open at all reasonable times for inspection by members of the public.

(2) A document purporting to be a print of an edition of a register published under this section by authority of the registrar in the current year, or documents purporting to be prints of an edition of a register so published in a previous year and of a list of corrections to that edition so published in the current year, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being fully or provisionally registered or as being registered as a dental surgeon is so registered, and that any person not so specified is not so registered.

Registration

Full
registration
of medical
practitioners
and registra-
tion of
dental
surgeons.

6.—(1) Subject to section thirteen and to rules made under section four of this Act, a person shall be entitled to be fully registered as a medical practitioner or to be registered as a dental surgeon if—

(a) he has attended a course of training approved by the council under the next following section as respects the medical profession or, as the case may be, the dental profession; and

(b) the course was conducted at an institution so approved, or partly at one such institution and partly at another or others; and

(c) he holds a qualification so approved; and

(d) in the case of a person seeking to be fully registered as a medical practitioner, he holds a certificate of experience issued in pursuance of section ten of this Act.

(2) Subject as aforesaid, a person shall be entitled to be fully registered as a medical practitioner or to be registered as a dental surgeon if he satisfies the council—

(a) that he is of good character; and

(b) that he holds a qualification granted outside Nigeria and for the time being accepted by the council for the purposes of this subsection as respects the profession in question; and

(c) that he is by law entitled to practise for all purposes as a member of that profession in the country in which the qualification was granted; and

(d) if the council so requires, that he has had sufficient practical experience in the profession in question;

and the council shall from time to time publish in the gazette particulars of the qualifications for the time being accepted as aforesaid.

7.—(1) Subject to the next following subsection, the council may approve for the purposes of the last foregoing section—

Approval of
courses,
qualifica-
tions and
institutions.

5 (a) any course of training which is intended for persons who are seeking to become, or are already, members of the medical or dental profession and which the council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of that profession or for practice as members of a specialised branch of that profession ;

10 (b) any institution, either in Nigeria or elsewhere, which the council considers is properly organised and equipped for conducting the whole or any part of a course of training approved by the council under this section ;

15 (c) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the council, that they have sufficient knowledge and skill to practise the profession in question or to practise as members of a specialised branch of that profession.

20 (2) The council shall not, in pursuance of the last foregoing subsection, approve a qualification granted by an institution in Nigeria unless the qualification bears one of the following designations (with or without the addition of words indicating specialisation in a particular field), that is to say—

- 25 (a) bachelor of medicine and surgery ;
(b) doctor of medicine ;
(c) master of surgery ;
(d) bachelor of dental surgery ;
(e) master of dental surgery.

30 (3) The council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution ; but before withdrawing such an approval the council shall—

35 (a) give notice that it proposes to do so to each person in Nigeria appearing to the council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be ; and

(b) afford each such person an opportunity of making to the council representations with regard to the proposal ; and

(c) take into consideration any representations made as respects the proposal in pursuance of the last foregoing paragraph.

40 (4) As respects any period during which the approval of the council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section ; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any
45 person who by virtue of the approval was registered or eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.

(5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the council may specify in that instrument; and the council shall—

(a) as soon as may be publish a copy of every such instrument in the gazette; and 5

(b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister.

Supervision
of instruc-
tion and
examina-
tions
leading to
approved
qualifica-
tions.

8.—(1) It shall be the duty of the council to keep itself informed of the nature of— 10

(a) the instruction given at approved institutions to persons attending approved courses of training; and

(b) the examinations as a result of which approved qualifications are granted;

and for the purposes of performing that duty the council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to attend such examinations. 15

(2) It shall be the duty of a visitor appointed under this subsection to report to the council on—

(a) the sufficiency of the instruction given to persons attending approved courses of training at institutions visited by him; 20

(b) the sufficiency of the examinations attended by him; and

(c) any other matters relating to the institutions or examinations on which the council may, either generally or in a particular case, request him to report; 25

but no visitor shall interfere with the giving of any instruction or the holding of any examination.

(3) On receiving a report made in pursuance of this section, the council shall as soon as may be send a copy of the report to the person appearing to the council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations on the report to the council within such period as may be specified in the request, not being less than one month beginning with the date of the request. 30

Grant of
approved
qualifica-
tions by
council in
special
cases.

9.—(1) Where a person— 35

(a) has failed to obtain an approved qualification by reason only of the fact that he did not reach the appropriate standard in the relevant examination; but

(b) has reached a sufficient standard at that examination to warrant the grant to him of a qualification under this subsection, 40

the council may if it thinks fit, on payment to the council by the person in question of such fee as may be prescribed or without the payment of any fee, grant to him the qualification of Licentiate in Medicine and Surgery or, as the case may be, of Licentiate in Dentistry.

(2) The council shall from time to time publish in the gazette particulars of the standards which are to be treated as sufficient for the purposes of paragraph (b) of the foregoing subsection; and it shall be the duty of the person in charge of such an examination as is mentioned in that subsection to furnish to the registrar, as soon as may be 45

after the results of the examination are determined, a list of the names of the persons who satisfied the provisions of paragraphs (a) and (b) of the foregoing subsection as respects the examination and particulars of the standards reached by them at the examination.

- 5 (3) A qualification granted under this section shall be deemed to be a qualification approved by the council under section seven of this Act.

- 10 10.—(1) A person who, after obtaining an approved medical qualification, satisfies the conditions mentioned in the next following subsection shall be entitled to receive free of charge a certificate of experience in the prescribed form from the person in charge of the institution mentioned in that subsection.

Certificates
of
experience.

(2) The conditions aforesaid are—

- 15 (a) he must have been employed for the prescribed period at a recognised institution in Nigeria with a view to obtaining a certificate of experience and have resided throughout that period either in the institution or near to it in accordance with requirements in that behalf in the terms of his employment ;

- 20 (b) he must have acquired during his employment practical experience under the personal supervision and guidance of one or more fully registered medical practitioners in the practice of surgery, midwifery and medicine for such periods as may be prescribed in relation to each of those subjects respectively, so however that periods spent during his employment in acquiring practical experience as
25 aforesaid of techniques for safeguarding and improving the health of children or public health or of the activities carried on in a recognised health centre shall be treated for the purposes of this paragraph as periods spent in the practice of medicine ; and

- 30 (c) the manner in which he carried out the duties of his employment and his conduct during the period of his employment must have been satisfactory.

- 35 (3) It shall be the duty of the person in charge of a recognised institution at which a person is employed with a view to obtaining a certificate of experience to secure that the last-mentioned person is afforded proper opportunities of acquiring the practical experience required for the purposes of paragraph (b) above.

(4) Where after having been employed as mentioned in paragraph (a) above at any institution a person is refused a certificate of experience he shall be entitled—

- 40 (a) to receive from the person in charge of the institution particulars in writing of the grounds of the refusal ; and

(b) to appeal from the refusal to a committee of the council in accordance with rules made by the council in that behalf (including rules as to the time within which appeals are to be brought) ;

- 45 and on any such appeal the committee shall either dismiss the appeal or itself issue the certificate of experience in question or give such other directions in the matter as it considers just.

(5) Regulations may provide for the issue of certificates of experience in respect of employment at institutions outside Nigeria.

(6) In this and the next following section, "recognised" means recognised for the time being for the purposes of those sections by order of the council.

Provisional
registration
of medical
practitioners.

11.—(1) A person who has obtained an approved medical qualification and satisfies the registrar that he is about to be employed as mentioned in paragraph (a) of subsection (2) of the last foregoing section shall, subject to the provisions of section thirteen and of rules made under section four of this Act, be entitled to be provisionally registered as a medical practitioner.

(2) A person who is provisionally registered shall, for the purposes of his employment at any recognised institution with a view to obtaining a certificate of experience, but not for any other purposes, be deemed to be fully registered.

Professional discipline

Establish-
ment of
disciplinary
tribunal
and investi-
gating
panel.

12.—(1) There shall be a tribunal, to be known as the Medical and Dental Practitioners Disciplinary Tribunal (and hereafter in this Act referred to as "the tribunal"), which shall be charged with the duty of considering and determining any case referred to it by the panel established by the following provisions of this section and any other case of which the tribunal has cognisance under the following provisions of this Act.

(2) The tribunal shall consist of the president of the council and eleven other members of the council appointed by the council and shall include—

(a) not less than four members of the council holding office by virtue of paragraph (d) of subsection (2) of section one of this Act, or, where the number of those members is for the time being less than four, all those members; and

(b) not less than two persons who are registered dental surgeons.

(3) There shall be a body, to be known as the Medical and Dental Practitioners Investigating Panel (and hereafter in this Act referred to as "the panel"), which shall be charged with the duty of—

(a) conducting a preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as a medical or dental practitioner, as the case may be, or should for any other reason be the subject of proceedings before the tribunal; and

(b) deciding whether the case should be referred to the tribunal.

(4) The panel shall be appointed by the council and shall consist of seven members of the council and two registered dental surgeons who are not members of the council.

(5) The provisions of the Second Schedule to this Act shall, so far as applicable to the tribunal and the panel respectively, have effect with respect to those bodies.

Penalties
for
unprofes-
sional
conduct,
etc.

13.—(1) Where—

(a) a registered person is judged by the tribunal to be guilty of infamous conduct in any professional respect; or

(b) a registered person is convicted, by any court in Nigeria or elsewhere having power to award imprisonment, of an offence

(whether or not an offence punishable with imprisonment) which in the opinion of the tribunal is incompatible with the status of a medical or dental practitioner, as the case may be ; or

5 (c) the tribunal is satisfied that the name of any person has been fraudulently registered,

the tribunal may, if it thinks fit, give a direction reprimanding that person or ordering the registrar to strike his name off the relevant register or registers.

10 (2) The tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under the foregoing subsection until a subsequent meeting of the tribunal ; but—

(a) no decision shall be deferred under this subsection for periods exceeding two years in the aggregate ; and

15 (b) no person shall be a member of the tribunal for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the tribunal when the decision was deferred.

20 (3) For the purposes of subsection (1) of this section a person shall not be treated as convicted as mentioned in paragraph (b) of that subsection unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

25 (4) When the tribunal gives a direction under subsection (1) of this section, the tribunal shall cause notice of the direction to be served on the person to whom it relates.

30 (5) The person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of the notice of the direction, appeal against the direction to the Federal Supreme Court ; and the tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the tribunal, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

(6) A direction of the tribunal under subsection (1) of this section shall take effect—

35 (a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time ;

40 (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal ;

(c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed ;

and shall not take effect except in accordance with the foregoing provisions of this subsection.

45 (7) A person whose name is removed from a register in pursuance of a direction of the tribunal under this section shall not be entitled to be registered in that register again except in pursuance of a direction in that behalf given by the tribunal on the application of that person ; and a direction under this section for the removal of a person's name

from a register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction.

Miscellaneous and general

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Offences.

14.—(1) Subject to subsections (6) and (7) of this section, if any person who is not a fully registered medical practitioner—

(a) for or in expectation of reward practises or holds himself out to practise as a medical practitioner ; or

(b) takes or uses any of the following titles, that is to say, physician, surgeon, doctor or licentiate of medicine, medical practitioner or apothecary ; or 10

(c) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorised by law to practise as a medical practitioner, 15

he shall be guilty of an offence.

(2) Subject as aforesaid, if any person who is not a registered dental surgeon or a fully registered medical practitioner—

(a) for or in expectation of reward, practises or holds himself out to practise as a dentist ; or 20

(b) takes or uses the title of dental surgeon, dentist or dental practitioner ; or

(c) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorised by law to practise as a dentist, 25

he shall be guilty of an offence.

(3) If any person, for the purpose of procuring the registration of any name, qualification or other matter—

(a) makes a statement which he believes to be false in a material particular ; or 30

(b) recklessly makes a statement which is false in a material particular,

he shall be guilty of an offence.

(4) If the registrar or any other person employed by the council wilfully makes any falsification in any matter relating to the register he shall be guilty of an offence. 35

(5) A person guilty of an offence under this section shall be liable—

(a) on summary conviction, to a fine not exceeding fifty pounds ;

(b) on conviction on indictment, to a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years or to both. 40

(6) Where any person is acknowledged by the members generally of the community to which he belongs as having been trained in a system of therapeutics traditionally in use in that community, nothing in paragraph (a) of subsection (1) or paragraph (a) of subsection (2) of this section shall be construed as making it an offence for that person to practise or to hold himself out to practise that system ; but the exemption conferred by this subsection shall not extend to any activity (other than 45

circumcision) involving an incision in human tissue or to administering, supplying or recommending the use of any dangerous drug within the meaning of Part V of the Dangerous Drugs Act.

Cap. 48.

- 5 (7) Nothing in subsection (1) or subsection (2) of this section shall be construed as making it an offence for a person employed as a medical practitioner in any ship (other than a Nigerian ship within the meaning of the Merchant Shipping Act, 1962) to act as a medical practitioner or dentist in relation to the master, crew and passengers of that ship.

1962, No. 30.

- 10 (8) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be
15 liable to be proceeded against and punished accordingly.

- 20 15.—(1) A person shall not hold an appointment as a medical practitioner or dental surgeon in the public service of the Federation or a Region or in the armed forces of the Federation unless he is a fully registered medical practitioner or, as the case may be, a registered dental surgeon.

Miscellaneous supplementary provisions.

(2) A fully registered medical practitioner or a registered dental surgeon shall be entitled to practise as a medical practitioner or, as the case may be, as a dental surgeon throughout the Federation.

- 25 (3) A document which is required by any law for the time being in force in the Federation or any part thereof to be issued or signed by a medical practitioner or a medical practitioner of a particular description shall, if issued or signed after this subsection comes into force, be invalid unless it is issued or signed, as the case may be, by a fully registered medical practitioner.

- 30 (4) Without prejudice to the rule of law whereby a contract may be void if it is inconsistent with the provisions of an enactment, no person other than a fully registered medical practitioner or a registered dental surgeon shall be entitled to bring any proceedings in any court of law for the purpose of recovering any fee or other consideration whatsoever
35 payable in respect of services rendered or facilities or things supplied by him when purporting to act as a medical practitioner or as a dentist.

- 40 (5) It shall be the duty of the person in charge of each medical school, university or similar institution in the Federation at which there is held a course of training intended for persons who are seeking to become members of the medical or dental profession to furnish to the registrar, not later than the thirty-first day of March in every year, a list of the names, and of such other particulars as the council may by order specify, of all persons who attended any such course at the institution in question at any time during the preceding year.

- 45 16.—(1) Any power to make regulations, rules or orders conferred by this Act shall include power—

Regulations, rules and orders.

- (a) to make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument; and
50 (b) to make different provision for different circumstances.

(2) The Minister shall lay a copy of all regulations before each House of Parliament as soon as may be after the regulations are made; and if either House, on any of the twenty days on which it sits next after the date on which any regulations are laid before it, resolves that the regulations be annulled they shall, without prejudice to anything previously done in pursuance of the regulations, cease to have effect on the day next following the date of the resolution. 5

Cap. 89.

(3) Nothing in this Act shall be construed as indicating a contrary intention for the purposes of subsection (8) of section twenty-two of the Interpretation Act (which contains additional provisions with respect to powers to make subordinate legislation). 10

Transi-
tional
provisions
and repeals.

Cap. 116.

17.—(1) Subject to section thirteen of this Act and to the next following subsection, a person shall be entitled to be fully registered as a medical practitioner or registered as a dental surgeon if—

(a) he has at any time been registered in the register or temporary register maintained under the Medical Practitioners and Dentists Act as a medical practitioner or, as the case may be, as a dentist; or 15

(b) immediately before the repeal of that Act he held a temporary licence under that Act to practise medicine and surgery or, as the case may be, to practise dentistry; 20

and the registrar shall accordingly, without any application in that behalf, make the necessary entries in the registers maintained under this Act.

(2) A person whose name is not on the register or the temporary register maintained under the Act aforesaid by reason of its having been erased or removed in consequence of proceedings before the disciplinary committee established by that Act shall be deemed for the purposes of this Act to have had his name removed, in pursuance of a direction of the tribunal which took effect on the date when this subsection came into force, from the part of the register maintained under this Act in respect of fully registered medical practitioners or, as the case may be, from the register of dental surgeons maintained under this Act; and the provisions of subsection (7) of section thirteen of this Act shall have effect accordingly as if the direction aforesaid prohibited applications under that subsection for the period of six months. 25 30 35

(3) Where—

(a) there is in any Region an institution which was established before the first day of January, one thousand nine hundred and sixty-three, and which grants a qualification to persons who have completed a course of medical studies conducted at the institution; and 40

(b) the institution, course and qualification are recognised by the council for the purposes of this subsection,

any such qualification granted before that day to such a person as aforesaid, or after that day to a person who on that day was engaged in such a course at the institution with a view to obtaining such a qualification, shall be deemed to be a qualification approved by the council under section seven of this Act; and subject to the next following subsection and the provisions of section thirteen and of rules made under section four of this Act, a person shall, without obtaining a certificate of experience, be entitled to be fully registered by reference to a qualification which is an approved qualification by virtue of this subsection. 45 50

(4) In the case of a person who is fully registered by virtue only of such a qualification as is mentioned in the last foregoing subsection, the registrar shall, on the expiration of the period of five years beginning with the date of the grant of the qualification or of the coming into force of this subsection, whichever is the later, remove from the register all particulars relating to that person unless before the expiration of that period he furnishes to the registrar a certificate issued by the Minister responsible for health of the government of the Region in question stating that he has since that date been engaged in practice as a medical practitioner for a period of not less than four years; and a person shall not, without obtaining a certificate of experience, be entitled to be fully registered as aforesaid after the expiration of the period of five years mentioned in this subsection.

(5) For the purpose of enabling persons to qualify for membership of the council at any time during the period of two years beginning with the date when section one of this Act comes into force, a person entitled by virtue of subsection (1) of this section to be fully registered or registered as a dental surgeon, as the case may be, shall be deemed to be so registered notwithstanding that the relevant register has not been established or that his name is not registered in it.

(6) Any proceedings under the Medical Practitioners and Dentists Act which, immediately before the date when the provisions of that Act relating to such proceedings are repealed, were pending before the disciplinary committee established by that Act or in the Federal Supreme Court may be continued, and any right of appeal under that Act which was exercisable immediately before that date may be exercised, as if this Act had not been passed; and for the purposes of the foregoing provisions of this section and of enabling effect to be given to any order made or judgment given in connection with any such proceedings or appeal, but not for any other purposes, the register and the temporary register maintained under that Act shall be deemed not to be abolished.

(7) In section three of the Interpretation Act, in the definition of "qualified medical practitioner", for the words from "means" onwards there shall be substituted the words "means a person who is a fully registered medical practitioner within the meaning of the Medical and Dental Practitioners Act, 1963 ;".

(8) The provisions of the Medical Practitioners and Dentists Act shall be repealed on such date as the Minister may by order appoint, and different dates may be appointed in relation to different provisions; and, subject to the provisions of subsection (6) of this section, the register and temporary register maintained under that Act are hereby abolished.

18.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

Interpretation, etc.

"approved" means for the time being approved under section seven of this Act;

"approved medical qualification" means a qualification which is approved in respect of the medical profession;

"certificate of experience" means a certificate granted in pursuance of section ten of this Act;

"the council" means the Nigeria Medical Council ;

"the gazette" means the Gazette of the Federation ;

"the Minister" means the Minister of the government of the Federation responsible for matters relating to medical and health services ;

"the panel" has the meaning assigned to it by section twelve of this Act ;

"prescribed" means prescribed by regulations ;

"register" means a register maintained under this Act, and "registered" shall be construed accordingly ;

"the registrar" means the registrar appointed in pursuance of section four of this Act ;

"regulations" means regulations made by the Minister ; and

"the tribunal" has the meaning assigned to it by section twelve of this Act.

(2) For the purposes of this Act—

(a) a person is fully registered if his name is for the time being entered in the part of the register of medical practitioners maintained in respect of fully registered medical practitioners ; and

(b) a person is provisionally registered if his name is for the time being entered in the other part of that register ; and

(c) a person is a registered dental surgeon if his name is for the time being entered in the register of dental surgeons ; and

(d) a person is a registered person if he is fully registered, provisionally registered or is a registered dental surgeon ;

and "fully registered" and "provisionally registered" shall be construed in accordance with paragraphs (a) and (b) of this subsection.

(3) Any approval, consent, direction, notice, observations, report, representation or request authorised or required to be given or made by or under this Act shall be in writing and may, without prejudice to any other method of service but subject to the provisions of rules made under the Second Schedule to this Act, be served by post.

Short title,
extent and
commence-
ment.

19.—(1) This Act may be cited as the Medical and Dental Practitioners Act, 1963, and shall apply throughout the Federation.

(2) The provisions of this Act shall come into force on such date as the Minister may by order appoint, and different dates may be appointed for the purposes of different provisions.

SCHEDULES

FIRST SCHEDULE

Section 1.

Supplementary provisions relating to the council

Qualifications and tenure of office of members

5 1.—(1) A person shall not be a member of the council unless he is a fully registered medical practitioner, so however that two of the persons who are members by virtue of paragraph (d) of subsection (2) of section one of this Act need not be fully registered persons but shall be registered dental surgeons.

10 (2) A person who is a member of the council otherwise than by virtue of subparagraph (i) or (ii) of paragraph (c) of the said subsection (2) shall, subject to the following provisions of this paragraph, hold office for the period of five years beginning with the date of his appointment or election as a member.

(3) Any member of the council holding office otherwise than as mentioned in the last foregoing subparagraph may, by notice to the council, resign his office.

15 (4) A person who has ceased to be a member of the council shall be eligible again to become a member of the council.

20 (5) Where a member of the council ceases to hold office before the date when his term of office would have expired by the effluxion of time, the body or person by whom he was appointed or elected shall as soon as may be appoint or, as the case may be, elect a person to fill the vacancy for the residue of the term aforesaid, so however that (without prejudice to the powers conferred by paragraph (d) of the said subsection (2)) the foregoing provisions of this subparagraph shall not apply where a person holding office as a member of the council in pursuance of that paragraph ceases to hold office at a time when the residue of his term does not
25 exceed one year.

(6) The power of appointing a person as president of the council shall—

30 (a) during the period of five years beginning with the date when this subparagraph comes into force, be exercisable by the Prime Minister of the Federation ; and

(b) after the expiration of that period, be exercisable by the council ; and where an existing member of the council is appointed president, his office as an existing member shall become vacant and his term of office as president shall begin on the date of his appointment as president.

35

Powers of the council

2.—(1) Subject to the following subparagraph and to any directions of the Minister under this Act, the council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities.

(2) The council shall not have power to borrow money or to dispose of any property except with the prior consent of the Minister, and shall not have power to pay remuneration (including pensions), allowances or expenses to any member, officer or servant of the council or to any other person except in accordance with scales approved by the Minister. 5

Proceedings of the council

3. Subject to the provisions of this Act and of section fifty-nine of the Interpretation Act (which provides for decisions of a body to be taken by a majority of the members of the body and for the chairman to have a second or casting vote), the council may make standing orders regulating the proceedings of the council or any committee thereof. 10

4. The quorum of the council shall be nine, and the quorum of any committee of the council shall be determined by the council.

5.—(1) The council shall appoint one of its members to be the vice-president of the council for such period as the council may determine, so however that a vice-president who ceases to be a member shall cease to be vice-president. 15

(2) At any time while the office of president is vacant or the president is in the opinion of the council permanently or temporarily unable to perform the functions of his office, the vice-president shall perform those functions, and references in this Schedule to the president shall be construed accordingly. 20

6.—(1) Subject to the provisions of any standing orders of the council, the council shall meet whenever it is summoned by the president; and if the president is required so to do by notice given to him by not less than six other members, he shall summon a meeting of the council to be held within seven days from the date on which the notice is given. 25

(2) At any meeting of the council the president or in his absence the vice-president shall preside, but if both are absent the members present at the meeting shall appoint one of their number to preside at that meeting. 30

(3) Where the council desires to obtain the advice of any person on a particular matter, the council may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the council and shall not count towards a quorum. 35

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the council shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at that meeting. 40

Committees

7.—(1) The council may appoint one or more committees to carry out, on behalf of the council, such of its functions as the council may determine. 45

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the council, and not more than one-third of those persons may be persons who are not members of the council; and a person other than a member of the council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed. 50

(3) A decision of a committee of the council (other than the committee mentioned in subsection (4) of section ten of this Act) shall be of no effect until it is confirmed by the council.

Miscellaneous

5 8.—(1) The fixing of the seal of the council shall be authenticated by the signature of the president or of some other member authorised generally or specially by the council to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the council by any person generally or specially authorised to act for that purpose by the council.

(3) Any document purporting to be a document duly executed under the seal of the council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

15 9. The validity of any proceedings of the council or a committee thereof shall not be affected by any vacancy in the membership of the council or committee, or by any defect in the appointment of a member of the council or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.

20 10. Any member of the council, and any person holding office on a committee of the council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the council or a committee thereof shall forthwith disclose his interest to the council and shall not vote on any question relating to the contract or arrangement.

25 11. A person shall not, by reason only of his membership of the council, be treated as holding an office of emolument under the Crown.

SECOND SCHEDULE

Section 12.

30 Supplementary provisions relating to the disciplinary tribunal and investigating panel

The tribunal

1. The quorum of the tribunal shall be four of whom—

35 (a) all shall be fully registered medical practitioners in a case relating to a registered person who is not a registered dental surgeon ; and

(b) one at least shall be a registered dental surgeon in any other case.

40 2.—(1) The Chief Justice of the Federation shall make rules as to the selection of members of the tribunal for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the tribunal.

(2) The rules shall in particular provide—

(a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings ;

(b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings ;

(c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the tribunal ;

(d) for enabling any party to the proceedings to be represented by a legal practitioner ; 5

(e) subject to the provisions of subsection (5) of section thirteen of this Act, as to the costs of proceedings before the tribunal ;

(f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates ; 10

(g) for publishing in the gazette notice of any direction of the tribunal which has taken effect providing that a person's name shall be struck off a register. 15

3. For the purposes of any proceedings before the tribunal, any member of the tribunal may administer oaths and any party to the proceedings may sue out of the registry of the Federal Supreme Court writs of subpoena ad testificandum and duces tecum ; but no person appearing before the tribunal shall be compelled— 20

(a) to make any statement before the tribunal tending to incriminate himself ; or

(b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action. 25

4.—(1) For the purpose of advising the tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the tribunal who shall be appointed by the council on the nomination of the Chief Justice of the Federation and shall be a legal practitioner of not less than seven years standing. 30

(2) The Chief Justice of the Federation shall make rules as to the functions of assessors appointed under this paragraph, and in particular such rules shall contain provisions for securing—

(a) that where an assessor advises the tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered ; 35 40

(b) that every such party or person as aforesaid shall be informed if in any case the tribunal does not accept the advice of the assessor on such a question as aforesaid.

(3) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed. 45

The panel

5. The quorum of the panel shall be three of whom—

(a) all shall be fully registered¹ medical practitioners in a case relating to a registered person who is not a registered dental surgeon ;
5 and

(b) one at least shall be a registered dental surgeon in any other case.

6.—(1) The panel may, at any meeting of the panel attended by not less than six members of the panel including not less than one
10 registered dental surgeon, make standing orders with respect to the panel.

(2) Subject to the provisions of any such standing orders, the panel may regulate its own procedure.

Miscellaneous

15 7.—(1) A person ceasing to be a member of the tribunal or the panel shall be eligible for reappointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the tribunal and the panel ; but no person who acted as a member of the
20 panel with respect to any case shall act as a member of the tribunal with respect to that case.

8. The tribunal or the panel may act notwithstanding any vacancy in its membership ; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that
25 body, or (subject to subparagraph (2) of paragraph 7 above) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

9. The tribunal and the panel may each sit in two or more divisions.

10. Any document authorised or required by virtue of this Act to be served on the tribunal or the panel shall be served on the registrar.

30 11. Any expenses of the tribunal or the panel shall be defrayed by the council.

12. A person shall not, by reason only of his appointment as a legal assessor to the tribunal or as a member of the panel, be treated as holding an office of emolument under the Crown.

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

LAGOS HEALTH SERVICE BILL, 1963

EXPLANATORY MEMORANDUM

There is at present an undesirable division of responsibility for the services for maintaining health in the Federal territory whereby the Federal Government is responsible for curative services and the Lagos Town Council is responsible for preventive services. This arrangement is wasteful and contrary to modern trends in health administration.

The object of this Bill is to remove this division by reorganising the health services in the Federal territory so as to expand and modernise them, to place them under a central authority and to associate the people of the territory closely with their administration.

M. A. MAJEKODUNMI,
Minister of Health

LAGOS HEALTH SERVICE BILL

ARRANGEMENT OF CLAUSES

Clause

Establishment of the Lagos Health Service

1. Establishment of health service.

Administration of the health service

2. Establishment and functions of authorities to administer the health service.
3. Powers of health service authorities.
4. Acquisition of facilities by the council.

Participation in the health service

5. Participants.
6. Registration of participants, etc.

Benefits

7. Benefits to which participants, etc., are entitled.
8. Determination of disputes as to benefit.

Financial provisions

9. Establishment of health service fund.

10. Contributions.

11. Payment and recovery by employers of employed persons' contributions.

12. Determination of incomes.

13. Estimates, accounts and audit.

Miscellaneous and general

14. Recovery of contributions.
15. Offences, etc.
16. Annual report on health service.
17. Regulations and orders.
18. Interpretation.
19. Repeals.
20. Short title, extent and commencement.

SCHEDULES :

First Schedule—Constitution etc. of the council, the executive board and district committees.

Second Schedule—Contributions by participants.

Third Schedule—Repeals.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION OF A HEALTH SERVICE FOR LAGOS ; AND FOR PURPOSES CONNECTED THEREWITH.

[See section 20 (3)]

Commence-
ment.

5 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 :—

Establishment of the Lagos Health Service

10 1. For the purpose of improving the medical facilities available in the Federal territory and with a view to making those facilities available on reasonable terms to the inhabitants of the territory and others, a health service shall be established for the Federal territory in accordance with the following provisions of this Act.

Establish-
ment of
health
service.

Administration of the health service

15 2.—(1) There shall be established for the purposes of this Act—

(a) a body corporate by the name of The Lagos Health Service Council (hereafter in this Act referred to as “the council”) which, subject to any directions of the Minister, shall have the general function of administering the provisions of this Act and regulations made thereunder, and in particular of making such arrangements as may appear to the council expedient for the purpose of establishing, maintaining and improving the health service ; and

20 (b) a body (hereafter in this Act referred to as “the executive board”) which, subject to any directions of the council, shall be responsible to the council for the administration of the health service.

Establish-
ment and
functions of
authorities
to administer
the health
service.

30 (2) In respect of each district within the meaning of this subsection, the council shall appoint a committee (hereafter in this Act referred to as a “district committee”) which shall have the function of making recommendations to the executive board with respect to the administration of the health service in its district, and such other functions (if any) as the board may from time to time determine.

35 For the purposes of this subsection, all the wards into which, on the date when this subsection comes into force, the town of Lagos is divided in pursuance of section three of the Lagos Local Government Act, 1959, and which bear in their respective names the same letter of the alphabet shall together constitute a district.

40 (3) The provisions of the First Schedule to this Act shall, so far as applicable, have effect with respect to the constitution of the council, the executive board and district committees, and with respect to the other matters mentioned in that Schedule.

Powers of
health
service
authorities.

3.—(1) Subject to subsections (2) and (3) of this section, the council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities.

(2) Except with the approval of the Minister, the council shall not have power—

(a) to incur expenditure ; or

(b) to borrow money ; or

(c) to dispose of any immovable property or minerals.

(3) The Minister may give the council directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise of its functions, and it shall be the duty of the council to comply with the directions.

(4) Subject to any directions given under the last foregoing subsection, the council may authorise the executive board to exercise on behalf of the council such powers as the council considers appropriate to enable the board to administer the health service ; and the council may give to the board such directions as are mentioned in the last foregoing subsection, and it shall be the duty of the board to comply with the directions.

Acquisition
of facilities
by the
council.

4.—(1) It shall be the duty of the council to administer and develop such medical institutions of the Federal government situated in the Federal territory or elsewhere as the Minister may specify by notice in writing, and it shall be the duty of the person for the time being in charge of an institution specified by a notice under this subsection, and of all other persons employed for the purposes of the institution, to comply with any instructions given by or on behalf of the council with respect to the institution.

(2) Any dispute as to whether a particular institution is a medical institution of the Federal government for the purpose of the foregoing subsection or what constitutes such an institution shall be determined by the Minister, so however that no determination shall extend to any property held otherwise than for the purposes of the government of the Federation ; and the Minister may, at any time during the period of one year beginning with the date of a notice under the foregoing subsection, vary or revoke the notice by a subsequent notice.

(3) The Lagos Town Council shall, within the period of three months beginning with the date when this subsection comes into force, furnish to the Minister particulars of all property which on that date is held by or on behalf of that Council and used for the purposes of any hospital, maternity home, clinic, dental establishment, health centre or similar institution, and shall not have power to dispose of or charge any such property during the period of one year beginning with that date ; and the Minister may, at any time within that period and without payment of any compensation, by an instrument under his hand and official seal, transfer to and vest in the Lagos Health Service Council the interest of the Lagos Town Council in any such property.

(4) No stamp or other duty shall be payable in respect of any transfer made in pursuance of the last foregoing subsection.

Participation in the health service

5.—(1) Subject to the provisions of this section, every individual ordinarily resident in the Federal territory shall be a participant in the health service.

Participants.

- 5 (2) Without prejudice to the provisions of this Act entitling a dependant of a participant to the benefits of the health service, a dependant shall not be a participant in the health service; and regulations may provide—

- 10 (a) that persons of such descriptions as may be prescribed shall not be participants in the health service; and

(b) for the facilities of the health service to be made available, on such terms as may be prescribed, to persons who are not participants or dependants and who apply in the prescribed manner to use those facilities.

- 15 6. Regulations shall provide for the registration of participants and their dependants and of employers of participants; and without prejudice to the generality of the power to make regulations under this subsection any such regulations may in particular include provisions—

Registration of participants, etc.

- 20 (a) requiring any person to furnish, within such period as may be prescribed and either on request or without any request, information or further information in his possession or under his control with respect to persons who are or were, or may be or may have been, participants or dependants or employers of participants;

- 25 (b) specifying the evidence which a person may be required to produce for the purpose of proving that he is ordinarily resident in the Federal territory;

(c) providing for the issue and withdrawal of certificates of registration.

Benefits

- 30 7.—(1) Participants in the health service and their dependants shall, on satisfying the prescribed conditions, be entitled to receive free of charge, in accordance with arrangements made by or on behalf of the council, such of the following benefits as may be appropriate in the interests of their health, that is to say—

Benefits to which participants, etc., are entitled.

- 35 (a) advice and treatment, either as out-patients or in-patients, by or under the supervision of medical practitioners (including specialists) in respect of illness or any other disability;

(b) accommodation and food in hospitals and similar establishments to which they are admitted as in-patients;

- 40 (c) in the case of women, delivery of children and ante-natal and post-natal care;

(d) medicines of such descriptions as may be prescribed;

(e) the use of X-ray and laboratory services;

- 45 (f) prophylactic treatment of such descriptions as may be prescribed;

(g) dental services—

(i) of all descriptions, in the case of children; and

(ii) of such descriptions as may be prescribed (excluding the supply of dentures), in any other case ;

(h) in the case of children, periodic medical examination.

(2) The Minister may by order add to the list of benefits specified by the foregoing subsection.

(3) Notwithstanding anything in subsection (1) of this section, the Minister may by regulations provide—

(a) for the making of a charge not exceeding one shilling in respect of each occasion on which medicines are authorised for or supplied to an out-patient in pursuance of paragraph (d) of that subsection ;

(b) for the making of charges in respect of special facilities afforded to an in-patient by way of accommodation or diet, where the facilities are not necessary in the interests of his health and are made available to him in pursuance of a request made by him or on his behalf.

Determina-
tion of
disputes
as to
benefit.

8.—(1) Any dispute as to—

(a) whether conditions prescribed in pursuance of the last foregoing section have been satisfied in the case of any person ; or

(b) what for the purposes of that section are appropriate in the interests of a person's health,

shall be determined by the Minister or such body or person as may be prescribed.

(2) Regulations may provide for the establishment, powers and procedure of a body to enquire into any such dispute as is mentioned in the foregoing subsection and either to determine the dispute or to make recommendations with respect to its determination.

(3) A person shall not be entitled to recover damages by reason of the determination in favour of a participant or the dependant of a participant of such a dispute as aforesaid or in consequence of the withholding of any benefit under this Act pending the determination of such a dispute.

Financial provisions

Establish-
ment of
health
service fund.

9.—(1) There shall be established for the purposes of this Act a fund, to be called the Lagos Health Service Fund, to which there shall be paid all contributions under this Act and to which there shall be paid or credited all other assets of the council ; and all expenses of the health service shall be defrayed out of the fund.

(2) The fund shall be held by the council for the purposes of the health service and shall be managed in accordance with regulations by, or under arrangements made by, the council.

Contribu-
tions.

10.—(1) For the purpose of providing funds required for establishing, maintaining and improving the health service, contributions shall be payable in accordance with this section by participants, by employers, by the Lagos Town Council and out of moneys provided by Parliament.

(2) Every participant the annual rate of whose income falls within a category specified in an entry in the first column of the Second Schedule to this Act shall be liable to pay monthly contributions—

(a) if he has no dependants, at the rate specified in relation to that entry in the second column of that Schedule ;

(b) if he has one or more dependants, at one and a half times the rate aforesaid.

5 (3) Subject to subsection (7) of this section, the employer of a participant who is an employed person shall be liable to pay in respect of the participant monthly contributions (in this Act referred to as the "employer's contribution") equal in amount to the contributions payable by the participant in accordance with paragraph (a) of the last foregoing subsection ; but where, apart from regulations under this subsection, an
10 employer's contribution would be payable in respect of the same participant by two or more employers, regulations shall provide for that contribution to be payable only by such one of the employers as may be determined in pursuance of regulations, or partly by one of the employers and partly by the other or others.

15 (4) The Lagos Town Council shall be liable to pay, at such times as may be prescribed, contributions at such annual rates as the Minister may from time to time determine after consulting that Council.

20 (5) The Minister shall, at such times and in such manner as he considers appropriate, pay out of moneys provided by Parliament contributions of such amounts as Parliament may from time to time determine ; and for the avoidance of doubt it is hereby declared that any contributions under this subsection shall be in addition to any contributions payable out of such moneys by virtue of subsection (3) of this section.

25 (6) Contributions payable in pursuance of subsection (2) or subsection (3) of this section shall be paid at such times and in such manner as may be prescribed ; and without prejudice to the generality of the power to make regulations under this subsection, any such regulations may in particular provide—

30 (a) for the issue and sale of health service stamps and for contributions to be paid by means of such stamps ;

35 (b) that a registration certificate issued under this Act in respect of a participant and bearing in respect of a particular period health service stamps representing a particular amount shall be evidence that contributions for that period of that amount have been paid in respect of the participant.

(7) Regulations may provide that employer's contributions shall not be payable by an employer unless, at such times as may be prescribed by the regulations, he is the employer of not less than such number of employed persons as may be so prescribed.

40 (8) Regulations may provide for authorising an employer, if he so desires, to make a lump sum payment of such an amount as may be determined in pursuance of the regulations in discharge of his obligation to pay employer's and other contributions in respect of such of his employees and such period as may be so determined.

45 (9) In relation to a participant who is a serving member of the armed forces of the government of the Federation—

(a) subsection (2) of this section shall not apply if he has no dependants ; and

(b) if he has one or more dependants, that subsection shall apply as if the reference in paragraph (b) to one and a half times the rate there mentioned were a reference to one half of that rate ;
but in ascertaining the amount of the employer's contribution in respect of such a participant paragraphs (a) and (b) of this subsection shall be disregarded. 5

(10) The Minister may by regulations amend the Second Schedule to this Act by substituting for any sum for the time being specified in that Schedule such larger or smaller sum as may be prescribed by the regulations. 10

1961 Nos. 21,
22 and 23.

(11) Without prejudice to any other enactment providing for the making of deductions in ascertaining income or profits for income tax purposes, employer's contributions shall, for the purposes of the Companies Income Tax Act, 1961, and the Personal Income Tax (Lagos) Act, 1961, be an allowable deduction in ascertaining the income or profits of any person within the meaning of the Income Tax Management Act, 1961 ; and in relation to the Companies Income Tax Act, 1961, this subsection shall apply throughout the Federation. 15

Payment
and
recovery by
employers
of employed
persons'
contribu-
tions.

11.—(1) Except so far as regulations otherwise provide, an employer liable to pay the whole or part of an employer's contribution for any month in respect of a participant employed by him shall, in the first instance, be liable to pay on behalf of and to the exclusion of the participant any contribution for that month payable by the participant by virtue of the last foregoing section. 20

(2) An employer shall be entitled, in accordance with such provision (if any) as may be made by regulations, to recover the amount of any contribution paid by him in pursuance of the foregoing subsection from the person on whose behalf it was paid ; and the employer may, notwithstanding anything in any other enactment, deduct any amount recoverable by virtue of this subsection from any remuneration payable by him to that person. 25 30

(3) For the purposes of the last foregoing subsection, a person who has made a payment for any period in respect of a participant in pursuance of subsection (8) of the last foregoing section shall be deemed to have paid contributions on behalf of the participant for that period of the amount which would have been payable for that period on his behalf apart from the said subsection (8). 35

(4) An employer shall not be entitled to recover the amount of an employer's contribution from the person in respect of whom it is payable. 40

(5) Regulations shall provide for notice to be given, either by the participant or otherwise, to the employer of a participant who is an employed person of the amount of the contribution for the time being payable by the participant for the purposes of this Act.

Determina-
tion of
incomes.

12.—(1) Regulations shall provide for the establishment, powers and procedure of an assessment committee to determine, subject to the following provisions of this section— 45

(a) rates of incomes for the purposes of this Act ; and

(b) such other matters as may be referred to the committee in pursuance of this section ; 50

and the regulations shall secure that the proceedings of the committee are held in private.

5 (2) The Minister shall by order specify the rates of income which, subject to the following provisions of this section, shall be deemed for the purposes of this Act to be the annual rates of incomes of persons of such descriptions as may be specified by the order, and for the purposes of any such order persons may be described by reference to the employments in which they are reputed to be occupied or by reference to such other factors as the Minister thinks fit; and the power to make orders under this subsection shall include power to make an order in respect of a particular person.

10 (3) Any question as to the annual rate of income applicable in the case of any person in pursuance of an order under the last foregoing subsection shall be determined by the executive board or, on appeal in accordance with regulations, by the assessment committee.

15 (4) Where a person satisfies the assessment committee that the rate of his chargeable income for the last preceding year of assessment is less than the annual rate for the time being applicable in his case in pursuance of an order under subsection (2) of this section, the annual rate of his income for the purposes of this Act, shall, subject to the following provisions of this section, be deemed to be the same as the rate of his chargeable income aforesaid; and for the purposes of this subsection a notice stating the chargeable income of a person for the year of assessment in question and having effect by virtue of section thirty-three or section thirty-four of the Personal Income Tax (Lagos) Act, 1961, or any other determination of the chargeable income of a person having effect for that year by virtue of that Act (whether made by agreement or on appeal or otherwise, and whether final or not) shall, while it continues so to have effect, be conclusive as to the chargeable income aforesaid.

30 (5) Where a participant satisfies the assessment committee that the rate of his income for the current year is lower than that rate as ascertained in pursuance of the foregoing provisions of this section, the annual rate of his income shall, during such period as may be determined by the committee, be deemed for the purposes of this Act to be such lower rate as may be so determined; and the period specified in a determination under this subsection may include any period after the date of the application in pursuance of which the determination was made.

35 (6) In this section, "chargeable income" and "year of assessment" have the same meanings as in the said Act of 1961.

40 13.—(1) The council shall prepare and submit to the Minister, not later than the thirty-first day of December of the year in which this subsection comes into force and of each subsequent year, an estimate of its expenditure and income (excluding contributions made by the Minister and the Lagos Town Council) during the next succeeding financial year.

Estimates,
accounts and
audit.

45 (2) The council shall keep proper accounts (including separate and composite accounts for such purposes, if any, as may be prescribed) in respect of each financial year, and proper records in relation to those accounts, and shall cause its accounts to be audited as soon as may be after the end of the financial year to which the accounts relate by a firm of auditors approved, as respects that year, by the Minister of the government of the Federation responsible for finance.

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Miscellaneous and general

Recovery of
contribu-
tions.

14. If any body or person fails to pay any contribution payable by him under this Act before the expiration of the prescribed period beginning with the date when the contribution became payable, the council shall be entitled to recover the amount of the contribution from that body or person in any court of competent jurisdiction.

5

Offences, etc.

15.—(1) If either a participant (other than an employed person) or the employer of a participant fails to pay any contribution payable by him under this Act before the expiration of the prescribed period beginning with the date when the contribution became payable, he shall be guilty of an offence and liable on summary conviction—

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(a) if he has not been previously convicted of an offence under this subsection, to a fine not exceeding five pounds ;

(b) if he has previously been convicted not more than twice of such an offence, to a fine not exceeding twenty pounds ;

15

(c) in any other case,—

(i) if he is convicted in his capacity as a participant, to a fine not exceeding fifty pounds ; and

(ii) if he is convicted in his capacity as an employer, to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding six months or to both.

20

(2) Where a person is convicted of an offence under the foregoing subsection in his capacity as an employer, then, if notice of intention to do so was served with the summons or warrant, evidence may forthwith be given before the court by which he was convicted of his failure to pay other contributions payable by him, at any time during the period of two years ending with the date of the conviction, in respect of the employee or former employee to whom the conviction relates and any other employee or former employee of his ; and in so far as the court finds that the failure is proved, it may, notwithstanding any financial limit applicable to its jurisdiction by virtue of any other enactment, order the convicted person to pay to the council an amount equal to the aggregate of the contributions in question, and the order shall have effect as if it were an order duly made in proceedings in a magistrate's court under the last foregoing section to recover that amount.

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(3) Any person who deducts the whole or any part of an employer's contribution from the remuneration of the person in respect of whom it is payable shall be guilty of an offence under this subsection.

(4) Any person who makes a representation which he believes to be false in a material respect, or recklessly makes a representation which is false in a material respect, for the purpose of—

40

(a) obtaining any benefit under this Act for himself or any other person ; or

(b) reducing the amount of any contribution payable under this Act,

45

shall be guilty of an offence under this subsection.

(5) Any person employed in connection with the health service who—

5 (a) asks for or receives, either directly or indirectly and whether for himself or not, any money or other thing or advantage whatsoever as an inducement or reward for permitting or assisting any other person to receive any benefit under this Act to which that other person is or may be entitled ; or

10 (b) improperly impedes any other person in obtaining any such benefit which it is or may be his duty to make available or assist in making available to that other person ;

15 (c) except in such circumstances as may be prescribed, suggests either directly or indirectly to a person who is or may be entitled to benefits under this Act that he or a dependant of his should not make use of the benefits or any of them, or should consider obtaining similar or different benefits otherwise than through the health service ; or

20 (d) except in such cases (if any) as may be prescribed, engages for or in expectation of reward in any activity which is the same as or similar to an activity in which, under the terms of his employment, he is required to engage for the purposes of the health service,

shall be guilty of an offence under this subsection.

25 (6) Any person who, otherwise than in the course of his official duties or for the purposes of proceedings in any court, discloses any information furnished to, or in connection with an application to, the assessment committee established in pursuance of section twelve of this Act shall be guilty of an offence under this subsection.

30 (7) A person guilty of an offence under subsection (3), (4), (5) or (6) of this section shall be liable on summary conviction to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence under the subsection in question, to a fine not exceeding two hundred pounds or to imprisonment for a term not exceeding one year or to both.

35 (8) Where an offence under this Act or regulations made thereunder which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

40 16.—(1) The council shall prepare and submit to the Minister, not later than the thirty-first day of May of the year next following the year in which this section comes into force, and of each subsequent year, a report in such form as the Minister may direct on the functioning of the health service during the last financial year preceding that date, and shall include in the report a copy of the audited accounts of the board
45 for that financial year and of the auditor's report on the accounts.

(2) The Minister shall cause a copy of each report made to him under this section to be laid before each House of Parliament.

50 (3) For the purposes of the council's first report under this section, the last financial year preceding the date aforesaid shall be deemed to include so much of any period before the beginning of that year as begins with the date of the first meeting of the council.

Annual
report
on health
service.

Regulations
and orders.

17.—(1) Any power to make regulations or an order conferred by this Act shall include power—

(a) to make provision for such incidental and supplementary matters as the Minister considers expedient for the purposes of the regulations or order; and

(b) to make different provision for different circumstances.

(2) The Minister shall lay a copy of all regulations before each House of Parliament as soon as may be after the regulations are made; and if either House, on any of the twenty days on which it sits next after the date on which any regulations are laid before it, resolves that the regulations be annulled they shall, without prejudice to anything previously done in pursuance of the regulations, cease to have effect on the day next following the date of the resolution.

Cap. 89.

(3) Nothing in this Act shall be construed as indicating a contrary intention for the purposes of subsection (8) of section twenty-two of the Interpretation Act (which contains additional provisions with respect to powers to make subordinate legislation).

Interpreta-
tion.

18.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“child” means a person who—

(a) has not attained the age of sixteen years; or

(b) has attained that age but is receiving full-time instruction at an establishment or in an undertaking of such description as may be prescribed,

and any question as to whether a person has attained that age shall be determined by the executive board;

“contract of service” means any contract of service or apprenticeship, whether written or oral and whether express or implied, but excluding a contract under which the employee or apprentice does not receive remuneration at an annual rate exceeding twenty-four pounds;

“contributions” means contributions paid or payable by virtue of this Act;

“the council” has the meaning assigned to it by section two of this Act;

“dependant” means a person who—

(a) lives with another person ordinarily resident in the Federal territory; and

(b) is either a spouse or reputed spouse of that other person or a child wholly or mainly maintained by that other person; and

(c) is not in receipt of income at an annual rate exceeding twenty-four pounds;

“district committee” means a committee established in pursuance of subsection (2) of section two of this Act;

“employed person” means a person gainfully occupied in employment under a contract of service;

"employer", in relation to an employed person, means the person who, as a principal and not as a servant or agent, carries on the activities in which the employed person is employed, being activities which are carried on wholly or partly in the Federal territory ;

5 "employer's contribution" has the meaning assigned to it by section ten of this Act ;

"employment" includes any trade, business, profession, office or vocation ;

10 "executive board" has the meaning assigned to it by section two of this Act ;

"the health service" means the arrangements made by virtue of this Act for providing medical facilities for the inhabitants of the Federal territory and others ;

15 "the Minister" means the Minister of the government of the Federation responsible for matters relating to medical and health services in the Federal territory ;

"participant" means a person who is a participant in the health service by virtue of this Act ;

"prescribed" means prescribed by regulations ;

20 "property" includes an interest in property ; and

"regulations" means regulations made under this Act by the Minister.

25 (2) For the purposes of this Act a dependant is a dependant of a particular person if that person is, in relation to the dependant, the other person mentioned in the definition of "dependant" set out in the foregoing subsection.

30 19.—(1) The enactments mentioned in the second column of the Third Schedule to this Act are hereby repealed to the extent specified, in relation to those enactments respectively, in the third column of that Schedule.

Repeals.

35 (2) The power to make regulations conferred by the Labour Code Act shall not extend to the matters mentioned in the provisions of that Act or the Labour Code Regulations which are repealed by the foregoing subsection ; and the power to make recommendations and orders as to conditions of employment conferred by the Wages Boards Act shall not extend to the provision of medical care or facilities of any description or to the making of payments in respect of such care or facilities.

Cap. 91.

Cap. 211.

40 (3) The functions of the Lagos Town Council shall cease to include the provision of facilities of any kind provided by the health service ; and the reference to works, matters and services necessary for or conducive to health in subsection (13) of section one hundred and forty of the Lagos Local Government Act, 1959, shall be construed accordingly.

45 (4) For the avoidance of doubt it is hereby declared that by virtue of subsection (1) of the following section the repeals effected by this section extend only to the Federal territory.

Short title,
extent and
commence-
ment.

20.—(1) This Act may be cited as the Lagos Health Service Act, 1963, and subject to the provisions of subsections (1) and (2) of section four and subsection (11) of section ten of this Act, shall apply to the Federal territory only.

(2) This Act binds the Crown.

5

(3) The provisions of this Act shall come into force on such date as the Minister may by order appoint, and different dates may be appointed for the purposes of different provisions.

SCHEDULES

Section 2.

FIRST SCHEDULE

Constitution etc. of the council, the executive board and district committees

The council

1. Subject to the provisions of this Schedule, the council shall consist of—

(a) one person appointed by the Minister to be the director of the health service, who shall be the chairman of the council ;

(b) two persons appointed by the Minister to be the deputy-director and the finance officer of the health service respectively ;

(c) three persons, of whom two shall be appointed by the Minister and the other shall be appointed by the Minister of the government of the Federation responsible for finance from among the officers of their respective Ministries ;

(d) two persons ordinarily resident in Lagos appointed by the Minister, who shall be members of the Nigeria Medical Association ;

(e) two persons ordinarily resident in Lagos appointed by the Minister, who shall be persons appearing to him to represent the interests of nurses ;

(f) two persons appointed by the Lagos Town Council ; and

(g) six persons appointed by the Minister who shall be persons appearing to him to represent—

(i) as to two, the interests of such trade unions as carry on their activities in Lagos ;

(ii) as to two others, the interests of employers in Lagos ; and

(iii) as to the others, such other interests as the Minister thinks fit.

The executive board

2. The executive board shall consist of—

(a) the persons mentioned in paragraphs (a) and (b) of paragraph 1 of this Schedule ; and

(b) six other persons appointed by the Minister of whom none shall be members of the council and at least two shall be qualified medical practitioners and at least one shall be a registered nurse within the meaning of the Nurses Act, 1959.

District committees

3. A district committee shall consist of such persons as may be prescribed.

General

4.—(1) Subject to subparagraph (2) of this paragraph, regulations may make provision as to—

(a) the remuneration and tenure of office of members of the council and district committees;

(b) the establishment and functions of committees of the council, of the executive board and of district committees (including the membership of the committees of persons who are not members of the body in question);

(c) the quorum, procedure and validity of the proceedings of those bodies or any committee thereof,

and generally as to the mode in which those bodies or committees thereof conduct their affairs.

(2) Before making any appointment in exercise of the powers conferred on him by paragraph (a) or (b) of paragraph 1 of this Schedule at any time after the expiration of four years from the date when this subparagraph comes into force, the Minister shall consult the council with respect to the appointment; and the Minister may if he thinks fit remove from office any person appointed after consultation with the council in accordance with this subparagraph if, and only if—

(a) a recommendation for his removal on the ground of misconduct or of inability to perform the functions of his office is made by the council to the Minister; and

(b) the recommendation was supported by the votes of not less than three-quarters of all the persons holding office as members of the council when the recommendation was adopted by the council.

5. A person shall not, by reason only of his membership of the council, the executive board or a district committee, be treated as holding an office of emolument under the Crown, so however that the provisions of this paragraph shall not apply to the director or deputy-director or finance officer of the health service.

SECOND SCHEDULE

Section 10.

Contributions by participants

<i>Annual income</i>	<i>Monthly contributions</i>		
	£	s	d
Exceeding £24 but not exceeding £100	0	4	2
Exceeding £100 but not exceeding £200	0	7	6
Exceeding £200 but not exceeding £400	0	17	6
Exceeding £400 but not exceeding £500	1	10	0
Exceeding £500 but not exceeding £1,000	2	0	0
Exceeding £1,000	3	0	0

Section 19.

THIRD SCHEDULE

Repeals

<i>Chapter or Number</i>	<i>Short title</i>	<i>Extent of repeal</i>
Cap. 91.	The Labour Code Act.	In section one hundred and twenty-eight, paragraph (c) and paragraphs (e) to (h).
W.R. Law No. 4 of 1953.	The Lagos Local Government Act, 1959.	In section one hundred and forty, subsection (12B). In section one hundred and forty-one, subsection (23). In the Eighth Schedule, in Part III, paragraphs (g) to (j).
Reg. 6 of 1929 to Order 1 of 1955.	The Labour Regulations.	Regulation 22.
O. in C. 32 of 1944 and 7 of 1946.	The Conditions of Employment (Tailoring, Shirt-making and Ancillary Trades or Occupations) Order in Council.	Paragraph 21.
O. in C. 32 of 1946 and 28 of 1949.	The Conditions of Employment (Printing and Allied Trades or Occupations) Order in Council.	Paragraph 21.
O. in C. 26 of 1948.	The Conditions of Employment (Motor Industry Trades and Occupations, Lagos and Colony) Order in Council.	Paragraph 14.
O. in C. 27 of 1949.	The Conditions of Employment (Stevedore and Dock Labour in the Port of Lagos) Order in Council.	Paragraph 8.
O. in C. 9 of 1950.	The Conditions of Employment (Catering Trade) (Lagos and Colony) Order in Council.	Paragraph 9.
O. in C. 35 of 1951.	The Conditions of Employment (Building and Civil Engineering Industry) (Lagos and Colony) Order in Council.	Paragraph 8.

DEFAMATION (AMENDMENT) BILL, 1963

EXPLANATORY MEMORANDUM

The purpose of this Bill is to correct a typographical error in the Defamation Act, 1961.

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

A BILL

FOR

AN ACT TO AMEND THE DEFAMATION ACT, 1961.

[]

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. Subsection (2) of section 9 of the Defamation Act, 1961, is amended by the substitution of the words "Part III" for the words "Part II" occurring in the second line thereof.

Subsection
 (2) of
 section 9
 of the
 principal
 Act amended.
 1961, No. 66.
 Citation and
 application.

2. This Act may be cited as the Defamation (Amendment) Act, 1963 and shall apply to the Federal territory.