

THE DIRECTOR OF CIVIL AVIATION (TRANSFER OF FUNCTIONS) ACT, 1963



1963, No. 17

AN ACT TO PROVIDE FOR THE TRANSFER OF CERTAIN STATUTORY FUNCTIONS OF THE DIRECTOR OF CIVIL AVIATION TO OFFICERS OF THE MINISTRY OF TRANSPORT AND AVIATION; AND FOR PURPOSES CONNECTED THEREWITH

[9th August, 1963]

Commence-
ment.

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

1.—(1) The functions conferred on the Director of Civil Aviation by the Air Navigation (Safety of Navigation) Act and the Civil Aviation (Births, Deaths and Missing Persons) Act shall be exercisable by the permanent secretary of the Ministry of Transport and Aviation or, if the Minister of the government of the Federation responsible for aviation orders that those functions shall be exercisable by another officer of that Ministry designated by the order, by that other officer.

Transfer of
statutory
functions of
Director.

Cap. 8.
Cap. 33.

(2) Accordingly references in these Acts to the Director shall be construed as references to the permanent secretary aforesaid or, where an order is in force under the foregoing subsection, to the officer designated by the order; and in section two of each of those Acts the words "Director" means the Director of Civil Aviation" are hereby repealed.

(3) Nothing in this section shall be construed as invalidating any declaration made in pursuance of the first-mentioned Act before the date of the commencement of this Act, or any approval given or conditions imposed before that date in pursuance of such a declaration; but references to the Director in such a declaration shall, as regards any approval or conditions falling to be given or imposed on or after that date, be construed in accordance with the last foregoing subsection.

2. This Act may be cited as the Director of Civil Aviation (Transfer of Functions) Act, 1963, and shall apply throughout the Federation.

Short title
and extent.

SUPPLEMENTARY APPROPRIATION (1963-64) ACT, 1963

A 83



1963, No. 18

AN ACT TO AUTHORISE THE ISSUE OUT OF THE CONSOLIDATED REVENUE FUND OF TWO HUNDRED AND SIXTY-EIGHT THOUSAND, FOUR HUNDRED AND FIFTY POUNDS FOR THE PURPOSE OF REPLACING ADVANCES FROM THE CONTINGENCIES FUND AND OF MAKING FURTHER PROVISION FOR THE SERVICE OF THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND SIXTY-FOUR; AND TO APPROPRIATE THAT AMOUNT FOR THE PURPOSES SPECIFIED IN THIS ACT.

[9th August, 1963]

Commence-
ment.

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

1. The aggregate amount mentioned in section one of the Appropriation Act, 1963 (which provides for the issue out of the Consolidated Revenue Fund during the year ending on the 31st day of March, 1964, of sums not exceeding in the aggregate £58,109,680) shall be increased by two hundred and sixty-eight thousand, four hundred and fifty pounds; and the additional amount shall be appropriated—

Issue and
Appropriation of
£268,450
from Consolidated
Revenue
Fund for
Contingen-
cies Fund
and for
service of
1963-64.

(a) as to seventy thousand pounds to the replacement of advances from the Contingencies Fund; and

(b) as to one hundred and ninety-eight thousand, four hundred and fifty pounds to heads of expenditure as indicated in the Schedule to this Act;

and subsection (3) of section one of that Act (which provides for the lapse of balances outstanding at the end of the financial year) shall have effect accordingly.

1963 No. 2

2. This Act may be cited as the Supplementary Appropriation (1963-64) Act, 1963, and shall apply throughout the Federation.

Short title
and extent.

Section 1 Head	SCHEDULE	Amount £
22 Cabinet Office	20,000
23 Police	26,400
36 Ministry of Education	16,200
49 Ministry of Justice	100
50 Ministry of Labour	100,000
62 Parliament	35,000
63 Federal Public Service Commission	750
Total	£ 198,450

THE MID-WESTERN REGION (TRANSITIONAL PROVISIONS) ACT, 1963



ARRANGEMENT OF SECTIONS

Section

- | | |
|---|--|
| <ol style="list-style-type: none">1. Appointment of administrative council for the Region.2. Continuance of existing law.3. Power to make laws.4. Transfer of functions of certain Western Regional authorities.5. Continuance of powers of local authorities, etc., established in the Region. | <ol style="list-style-type: none">6. Extension to the Region of jurisdiction of High Court of Lagos.7. Transfer of public property.8. Financial provisions, etc.9. Interpretation, etc.10. Short title and extent. |
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1963, No. 19

AN ACT TO MAKE TEMPORARY PROVISION FOR THE GOVERNMENT OF MID-WESTERN NIGERIA ; AND FOR PURPOSES CONNECTED THEREWITH.

[12th August, 1963]

Commence-
ment.

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

1.—(1) There shall be a body of persons appointed by the Governor-General who, subject to the provisions of this Act, shall—

Appoint-
ment of,
administra-
tive council
for the
Region.

(a) be charged with the general duty of administering the government of the Region until such time (not being later than the expiration of the period of six months beginning with the date of the establishment of the Region) as the Governor-General may determine ; and

(b) be collectively responsible to the Prime Minister for the performance of their functions.

(2) The persons appointed in pursuance of the foregoing subsection shall be known collectively as the Administrative Council of Mid-Western Nigeria (hereafter in this Act referred to as "the council") and shall severally hold office during the Governor-General's pleasure.

(3) The Governor-General shall—

(a) nominate one of the persons appointed in pursuance of subsection (1) of this section to be the chairman of the council and three of those persons to be deputy chairmen of the council ; and

(b) provide that the chairman, the deputy chairmen and each other member of the council shall be responsible to the council for such matters as the Governor-General may specify in relation to that particular member.

(4) The chairman of the council shall be styled the Administrator of Mid-Western Nigeria, the deputy chairmen of the council shall be styled the Deputy Administrators of Mid-Western Nigeria, and the other members of the council shall be styled Commissioners for the government of Mid-Western Nigeria.

(5) Subject to any directions of the Prime Minister under the next following subsection, the quorum and procedure of the council and the mode of authenticating instruments made by the council shall be such as the chairman of the council may determine.

(6) The Prime Minister may give directions to the council with respect to its functions, and it shall be the duty of the council to comply with the directions ; but the question whether any such directions have been given or what the directions were shall not be enquired into in any court of law.

(7) The powers conferred on the Governor-General by this section shall be exercisable by order.

Continuance
of existing
law.

2. On and after the appointed day, all existing law, that is to say, all law which, whether being a rule of law or a provision of an Act of Parliament or of a Law of a Regional Legislature or of any other enactment or instrument whatsoever (other than a provision of the Constitution of Western Nigeria), was in force immediately before the appointed day in, or in any part of, the area comprised in the Region, shall, until provision to the contrary is made by the authority having power to alter that law and subject to the provisions of this Act, continue in force in that area or part.

Power to
make laws.

3.—(1) Subject to subsection (3) of this section, the council may, by order published in the Gazette of the Federation, make laws for the peace, order and good government of the Region; and the power to make laws conferred by this subsection shall extend to any matter whether or not the matter is included in the Legislative Lists within the meaning of the Constitution of the Federation.

(2) An order under this section—

(a) may alter or repeal any existing law and the provisions of any order previously made under this section;

(b) shall have effect subject to the provisions of any Act of Parliament coming into force after the commencement of this Act and of any law made by a legislature established for the Region by any Act of Parliament other than this Act.

(3) An order under this section shall not come into force until it is approved by the Prime Minister.

Transfer of
functions
of certain
Western
Regional
authorities.

4.—(1) The council may exercise in relation to the Region, and to the exclusion of any other person, any function which immediately before the appointed day was a function of the Governor of Western Nigeria or any Minister of the government of Western Nigeria or the Public or Judicial Service Commission of Western Nigeria; and subject to the provisions of any directions given by the Prime Minister under section one of this Act, the council shall act in accordance with its own deliberate judgment in performing the functions exercisable by the council by virtue of this subsection.

(2) All existing law shall have effect subject to the modifications necessary to bring it into conformity with the provisions of the foregoing subsection.

Continuance
of powers of
local authorities,
etc.,
established
in the
Region.

5.—(1) Subject to the next following section and without prejudice to the provisions of this Act relating to existing law, every local authority, court and other public body which immediately before the appointed day exercised its functions wholly within the area comprised in the Region shall continue to exercise those functions in the Region,

(2) Any person who immediately before the appointed day held office as a member of the public service of Western Nigeria and exercised his office at or from a place in the area comprised in the Region shall, unless at any time he is removed from or resigns his office in the manner provided by law, continue to hold and exercise that office in the Region.

(3) A body or person who continues to exercise any office or function by virtue of this section shall exercise that office or function in accordance with the directions of the council.

(4) Nothing in this section shall be construed as prejudicing the power to make laws conferred by section three of this Act.

6. The jurisdiction of the High Court of Lagos shall extend to the Region, and the jurisdiction of the High Court of Western Nigeria shall cease to extend to the Region, so however that any proceedings pending before the last-mentioned court immediately before the appointed day may be continued before that court and shall not be affected by the provisions of this section.

Extension to the Region of jurisdiction of High Court of Lagos.

7. Any immovable property (including unworked minerals) and any chattel which, immediately before the appointed day was situated in the area comprised in the Region and was held—

Transfer of public property.

(a) on behalf of the Crown for the purposes of the government of Western Nigeria; or

(b) by a body corporate directly established by a Law of the Legislature of Western Nigeria or an instrument having effect as such a Law, shall, by virtue of this section and without further assurance, vest in the council and be held by the council on behalf of the Crown for the purposes of the government of the Region; and no compensation shall be payable in respect of any transfer effected by this section.

8.—(1) There shall be a fund, to be called the Mid-Western Region Administration Fund, from which there shall be defrayed all expenses incurred by the council in the performance of its functions.

Financial provisions, etc.

(2) There shall be paid or credited to the fund—

(a) such sums out of monies provided by Parliament as Parliament may from time to time determine; and

(b) all other monies held by the council for the purposes of the government of the Region.

(3) The fund shall be managed in accordance with regulations made by the Governor-General; and, without prejudice to the generality of the power to make regulations conferred by this subsection, the regulations shall in particular include provision—

(a) specifying the manner in which the assets of the fund are to be held and regulating the making of payments to and from the fund;

(b) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified in pursuance of the regulations;

(c) for securing that the accounts are audited periodically by the Director of Audit of the Federation;

(d) requiring copies of the accounts and of the auditor's report on them to be furnished to the Prime Minister as soon as may be after the end of the period to which the accounts relate ; and

(e) requiring the Prime Minister to lay before each House of Parliament copies of all accounts and reports received by him in pursuance of the last foregoing paragraph.

(4) It shall be the duty of the council to establish and maintain a record of all assets (other than assets of the fund) which are held by the council, whether by virtue of the last foregoing section or otherwise, for the purposes of the government of the Region ; and the Governor-General may make regulations providing—

(a) for the form in which the record is to be kept ;

(b) for the inspection, by the Director of Audit of the Federation or otherwise, of the record and any assets which are required to be mentioned in it ;

(c) for the furnishing to the Prime Minister of information with respect to the record and any such assets as are mentioned in the last foregoing paragraph and, in particular, of reports on inspections made in pursuance of that paragraph.

Interpre-
tation, etc.

9.—(1) In this Act, except where the context otherwise requires, the following expressions have the following meanings, that is to say,—

“the appointed day” means the date on which the Mid-Western Region Act, 1962, comes into operation ;

“the council” has the meaning assigned to it by subsection (2) of section one of this Act ;

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

“functions” includes powers and duties ; and

“the Region” means Mid-Western Nigeria.

(2) Nothing in this Act shall be construed as purporting to alter the Constitution of the Federation ; and, without prejudice to the generality of the foregoing provisions of this subsection, nothing in this Act shall be construed as purporting to prejudice the provisions of section eighty-six of the Constitution of the Federation (which requires the Governor-General, except as there provided, to act in accordance with the advice of Ministers).

Short title
and extent.

10. This Act may be cited as the Mid-Western Region (Transitional Provisions) Act, 1963, and shall apply throughout the Federation.