

LAGOS LOCAL GOVERNMENT (AMENDMENT) ACT, 1963



1963, No. III

AN ACT FURTHER TO AMEND THE LAGOS LOCAL GOVERNMENT ACT, 1959 TO MAKE BETTER PROVISION FOR THE SUPPLY OF INFORMATION BY THE LAGOS TOWN COUNCIL.

[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 Lagos Local Government Act, 1959 is hereby amended by the repeal of section 184 and the substitution therefor of the following—

“184 (1) It shall be the duty of the council and its officers to furnish the Local Government Inspector or the Governor-General in Council with such information as they may require in relation to the functions of the council under this or any other Act. Such information shall be furnished by the council or its officers within fourteen days of the request for it.

(2) The Governor-General in Council may, after considering any information obtained under the preceding subsection or in the absence of such information on the expiry of the fourteen days, give to the council any general or specific directions as to the discharge by the council of its functions in relation to matters appearing to the Governor-General in Council to affect the public interest, and the council shall give effect to any such directions.”

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

Substitu-
tion of
section 184
W.R. Law
No. 4 of
1953 re-
printed
1959.

Citation
and
application.

RIOT (DAMAGES) ACT, 1963



ARRANGEMENT OF SECTIONS

Section

- | | |
|---|---------------------------------------|
| 1. Power to appoint tribunal to enquire into riot damage. | 5. Compensation payments. |
| 2. Powers of tribunal. | 6. Protection of tribunal members. |
| 3. Notice of enquiry by tribunal. | 7. Effect of payment of compensation. |
| 4. Conflicting claims. | 8. Regulations. |
| | 9. Interpretation. |
| | 10. Short title and application. |

AN ACT TO MAKE PROVISION FOR ASSESSMENT AND PAYMENT OF COMPENSATION
IN CERTAIN CASES OF RIOT DAMAGE IN THE FEDERAL TERRITORY AND FOR
RELATED PURPOSES.

[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) Where property is destroyed, damaged, or stolen by reason
of any riot and the Minister of Finance is satisfied that reparation ought
properly to be made, he may issue a certificate to that effect, and com-
pensation shall be assessed and payable in accordance with this Act.

Power to
appoint
tribunal to
enquire into
riot damage.

(2) If a certificate is issued under subsection (1) of this section,
the Minister of Lagos Affairs after consultation with the Minister of
Justice shall forthwith thereafter appoint a fit person as chairman and
not more than two other members selected by the Minister to be a
tribunal to enquire into the cause of the riot and report the facts to the
Minister. The tribunal shall in its report make recommendations as to
the reparation to be made to claimants and as to the mode of recovery of
any amount awarded as compensation in respect of any such destruction,
damage, or theft.

(3) The tribunal shall, when making any recommendation for the
purposes of this section, take into account moneys collected by way of
insurance or as damages awarded by a court of law.

2.—(1) The tribunal shall have and may exercise all the powers of a
magistrates' court presided over by a magistrate grade I with respect to
the production of witnesses, the compelling of the attendance of persons,
the production of documents, the administering of oaths, the issue of
warrants and any other powers reasonably necessary, except the power
to punish.

Powers of
tribunal.

(2) The tribunal may require evidence in respect of any claim to
be given on oath; and may require the production of returns in such
manner as the chairman thinks fit, of property of any description,
possessed or owned by a claimant.

(3) Failure to comply without reasonable excuse with any order of
the tribunal shall be an offence under this Act. The chairman shall
certify the facts in writing, and the offender shall be liable on conviction
to a fine not exceeding twenty-five pounds, or to imprisonment for a term
not exceeding three months, or to both.

3.—(1) Where an enquiry is to be held under this Act the chairman
of the tribunal shall give notice thereof in such manner as he thinks neces-
sary. The notice shall prescribe a date not less than thirty days from the
date of the notice after which no claimant for compensation may be heard,
and shall indicate the mode of presentation of claims, and the time and
place at which the enquiry is to be held.

Notice of
enquiry by
tribunal.

(2) No claim filed after the time fixed by notice under subsection (1)
of this section shall be accepted without the leave of the tribunal given on
such terms as it thinks fit.

4. Where the ownership of any property is in dispute, the tribunal
may require the claimants to determine the ownership by action; and
subject to the determination of such ownership the tribunal may assess
compensation in respect of any such property.

Conflicting
claims.

Compensation
payments.

5.—(1) The Minister of Lagos Affairs shall consider the report of the tribunal in consultation with the Minister of Finance, and subject to the provisions of this section payment of compensation may be directed by such last mentioned Minister out of the Consolidated Revenue Fund, or either Minister may refer the report back to the tribunal for clarification in any particular case. If payment is directed to be made out of such Fund the amount paid shall be chargeable against and be recoverable out of the Consolidated Revenue Fund and the revenue of the Lagos Town Council in such proportions as the Minister of Finance may in writing direct. The question as to whether any consultation was held or what decision was taken shall not be enquired into by any court.

(2) Where any proportion of the compensation payable under this Act is to be charged upon the revenues of the Lagos Town Council, the issue of a direction under this section shall be sufficient authority to require the Lagos Town Council to prepare and submit to the Minister of Lagos Affairs forthwith a scheme for the recovery by way of special rate of the amount so chargeable; and when approved by such Minister, the amount may be levied and recovered accordingly.

(3) A copy of the report and any direction under this section shall be laid before both Houses of Parliament as soon as possible after the making thereof; and when so laid, the report and direction shall be conclusive evidence as to the cost of suppressing the riot and of the validity of any special rate levied in respect thereof.

Protection of
tribunal
members.

6. No member of the tribunal shall be personally liable for anything done or omitted to be done in good faith during any enquiry for the purposes of this Act.

Effect of
payment of
compensation.

7.—(1) The fact that compensation is payable or paid under this Act shall not be construed as an admission of liability by the Government of the Federation or the Lagos Town Council, and no action shall in any case lie against them or either of them.

(2) Any payment shall be deemed to have been made as an act of grace and this section shall have effect accordingly.

Regulations.

8. The Minister of Lagos Affairs may make regulations generally for the purposes of this Act.

Interpretation.

9.—(1) In this Act unless the context otherwise requires—

“riot” includes unlawful assembly;

“tribunal” means a tribunal appointed for the purposes of this Act.

(2) References to reparation shall include references to the cost of suppressing a riot and the remuneration payable to any member of a tribunal appointed for the purposes of this Act.

Short title
and applica-
tion.

10. This Act may be cited as the Riot (Damages) Act 1963 and shall apply to the Federal territory only.