

L.N. 65 of 1965

LABOUR CODE ACT (CHAPTER 91)

Labour Code (Trade Union Contributions) Order 1965

Commencement : 1st February 1965

In exercise of the powers conferred by section 27A (2) of the Labour Code Act, I hereby make the following order:—

1. This Order may be cited as the Labour Code (Trade Union Contributions) Order 1965 and shall apply throughout the Federation.

Citation and application.

2. The Trade Unions specified in the first column of the Schedule is hereby approved for the purpose of Section 27A (1) of the Labour Code Act with effect from the respective dates specified in the second column of the Schedule.

Trade Union approved by Minister pursuant to Section 27A (2), Cap. 91.

3. This Order shall be deemed to have come into force on 1st day of February 1965.

Commencement.

SCHEDULE

Schedule.

<i>Name of Trade Union</i>	<i>Date</i>
Amalgamated Union of Building and Wood-Workers of Nigeria	1-2-65
Automobile and Metal Workers' Union of Nigeria	1-4-65
Judicial Staff Union, Eastern Nigeria	1-4-65

DATED at Lagos this 5th day of May 1965.

ADELEKE ADEDOYIN,
Federal Minister of Labour

L.N. 66 of 1965

MINERALS ACT (CHAPTER 121)

Prospecting (Areas and Minerals) Prohibition (Amendment) (No. 2) Declaration 1965

Commencement : 10th June 1965

In exercise of the powers conferred by section 8 of the Minerals Act and of all other powers enabling me in that behalf, I hereby make the following declaration —

1. This Declaration may be cited as the Prospecting (Areas and Minerals) Prohibition (Amendment) (No. 2) Declaration 1965 and shall apply throughout the Federation.

Citation and application.

2. Immediately after paragraph 49 of the Prospecting (Areas and Minerals) Prohibition Declaration 1946, there shall be inserted the following new paragraphs:—

Amendment of Public Notice 22 of 1946 (Vol. IX P.1443 1958 Laws).

“50. The following area is hereby declared to be closed to prospecting for all minerals;—

L.N. 65 of 1965

LABOUR CODE ACT (CHAPTER 91)

Labour Code (Trade Union Contributions) Order 1965*Commencement : 1st February 1965*

In exercise of the powers conferred by section 27A (2) of the Labour Code Act, I hereby make the following order:—

1. This Order may be cited as the Labour Code (Trade Union Contributions) Order 1965 and shall apply throughout the Federation.

Citation and application.

2. The Trade Unions specified in the first column of the Schedule is hereby approved for the purpose of Section 27A (1) of the Labour Code Act with effect from the respective dates specified in the second column of the Schedule.

Trade Union approved by Minister pursuant to Section 27A (2), Cap. 91.

3. This Order shall be deemed to have come into force on 1st day of February 1965.

Commencement.

SCHEDULE

Schedule.

<i>Name of Trade Union</i>	<i>Date</i>
Amalgamated Union of Building and Wood-Workers of Nigeria	1-2-65
Automobile and Metal Workers' Union of Nigeria	1-4-65
Judicial Staff Union, Eastern Nigeria	1-4-65

DATED at Lagos this 5th day of May 1965.

ADELEKE ADEDOYIN,
Federal Minister of Labour

L.N. 66 of 1965

MINERALS ACT (CHAPTER 121)

Prospecting (Areas and Minerals) Prohibition (Amendment) (No. 2) Declaration 1965*Commencement : 10th June 1965*

In exercise of the powers conferred by section 8 of the Minerals Act and of all other powers enabling me in that behalf, I hereby make the following declaration —

1. This Declaration may be cited as the Prospecting (Areas and Minerals) Prohibition (Amendment) (No. 2) Declaration 1965 and shall apply throughout the Federation.

Citation and application.

2. Immediately after paragraph 49 of the Prospecting (Areas and Minerals) Prohibition Declaration 1946, there shall be inserted the following new paragraphs:—

Amendment of Public Notice 22 of 1946 (Vol. IX P.1443 1958 Laws).

“50. The following area is hereby declared to be closed to prospecting for all minerals:—

All that parcel of land known as Mines Reclamation Area No. 52 (which is part of ML. 1681 and R. of O. 9911) in Jos Division of Plateau Province, containing an area of approximately 77.28 acres, the boundaries of which are described below, that is to say :—

Starting at a concrete pillar, marked L.M. MRA.52 the Colony Co-ordinates of which are :—

N.2, 103, 542 ; E.2, 357, 200 :

the boundaries run in straight lines, the bearings and lengths of which are as follows :

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
LM MRA.52	108° 17'	1,113.8 feet	CB1 MRA.52
CB1 MRA.52	28° 10'	1,839.4 feet	CB2 MRA.52
CB2 MRA.52	118° 10'	155.1 feet	CB3 MRA.52
CB3 MRA.52	28° 12'	350.8 feet	CB4 MRA.52
CB4 MRA.52	298° 10'	155.1 feet	CB5 MRA.52
CB5 MRA.52	28° 11'	931.8 feet	CB6 MRA.52
CB6 MRA.52	272° 41'	1,098.9 feet	CB7 MRA.52
CB7 MRA.52	210° 11'	3,022.2 feet	LM MRA.52

(the starting point).

All bearings and lengths are approximate and all bearings are referred to Colony North."

"51. The following area is hereby declared to be closed to prospecting for all minerals :—

All that parcel of land known as MRA. 57 (which is part of late ML. 11325) in the Jos Division of the Plateau Province, containing an area of approximately 13.56 acres which includes portions of W.L.L. 1012 and 1038. The boundaries of which are described below, that is to say :—

Starting at a concrete pillar, marked L.M. MRA.57 the Colony Co-ordinates of which are :—

N.2, 130, 112 feet ; E.2, 319, 582 feet ;

the boundaries run in straight lines, the bearings and lengths of which are as follows :—

<i>From</i>	<i>Bearing</i>	<i>Length</i>	<i>To</i>
LM MRA.57	83° 10'	2,082.2 feet	CB1 MRA.57
CB1 MRA.57	280° 27'	1,251.0 feet	CB2 MRA.57
CB2 MRA.57	270° 16'	853.7 feet	CB3 MRA.57
CB3 MRA.57	178° 01'	478.6 feet	LM MRA.57

(the starting point).

All bearings and lengths are approximate, and all bearings are referred to Colony North".

MADE at Lagos this 10th day of June 1965.

MAITAMA SULE,
Minister of Mines and Power

L.N. 67 of 1965

EXCISE (CONTROL OF DISTILLATION) ACT 1964
(1964 No. 22)

Stills Regulations 1965

Commencement : 1st June 1965

In exercise of the powers conferred by section 3 (2) of the Excise (Control of Distillation) Act 1964, and of of all other powers enabling me in that behalf, I hereby make the following regulations—

1. These regulations may be cited as the Stills Regulations 1965, and shall apply throughout the Federation. Citation.

2. In these regulations unless the context otherwise requires—
“still” includes any part of a still. Definition.

3. No person shall import a still unless he is in possession of a permit issued by the Board. Permit to import.

4. No person shall possess or use a still unless—
 - (a) he has submitted to the Board a written application in the form prescribed in the First Schedule for a licence to possess or use a still, specifying particulars of the still, the premises in which it is to be kept and the purpose for which it is to be used; and has received a licence in the form prescribed in the Second Schedule;
 - (b) he has furnished to the Board, if it so requires in the case of a still of greater capacity than five gallons, a drawing or description of the still showing its construction and all pipes, valves, fittings and connections associated therewith; and
 - (c) he has made entry, in accordance with the provisions of the excise laws of the premises in which the still is to be kept and used;
 - (d) in the case of a distiller manufacturing alcohol, the largest still to be used is of at least four hundred gallons capacity.Approval,
licence
and entry
of premises.

5. Every person to whom a licence has been granted shall—
 - (a) within fourteen days after a still has been broken up, removed from the premises or otherwise disposed of, inform the Board in writing accordingly, and shall furnish particulars of the manner of disposal and of the name of the person, if any, to whom it has been disposed and the address of the premises to which the still has been removed;
 - (b) on request, furnish any information required by the proper officer relating to the materials for distillation and to the distillate, residue and effluent resulting from distillation;
 - (c) allow the proper officer at any reasonable time to examine and take samples of any such materials and any products of distillation;
 - (d) comply with such other conditions regarding the still as the Board may impose.Information to be
given by
licensed still
users.

Persons
keeping
stills solely
for sale.

6. Nothing in the foregoing regulations shall apply to a person who imports, makes or keeps stills solely for the purpose of sale, but every such person shall—

(a) keep a record in such manner as the Board shall approve, of each still imported, manufactured, received, sent out or delivered by him, together with the particulars of the name and address of the person to whom the still is sent or delivered;

(b) if so required by an officer, produce to him such record and permit him to inspect and to make copies thereof and take extracts therefrom and to make entries therein.

Glass
flasks etc.
for
laboratory
work.

7. Nothing in these regulations shall apply to glass flasks and glass condensers which in the opinion of the Board are of a kind intended to be used solely for ordinary laboratory purposes.

Offences
and
Penalties.

8. Any person contravening or failing to comply with any of these regulations shall be liable to a fine of not less than fifty pounds or more than two hundred pounds in respect of any particular offence.

MADE this 31st day of May 1965.

F. S. OKOTIE-EBOH,
Minister of Finance

FIRST SCHEDULE

Reg. 4 (a)

Form Sale 40

CUSTOMS AND EXCISE (NIGERIA)

APPLICATION FOR STILL LICENCE

Date.....19.....

The Secretary,
Board of Customs and Excise,
Mosaic House, Lagos.

Thro' Chief Collector,
Custom House,
.....

*I/We.....whose *registered/head office
is at.....

(Office address—Post Office Box or Mail No. NOT acceptable)

hereby apply for a licence to possess *and/or use Still in *my/our business
premises at.....

(address of premises)

2. The correct particulars of the still, the description of the premises in which it is to be kept and the purpose for which the still is to be used are specified hereunder :

(a) Still.....

.....

.....

.....

.....

.....

(b) Premises.....

.....

.....

.....

.....

.....

(c) Purpose.....

.....

.....

.....

.....

.....

3. *I/We annex hereto, in quadruplicate, the plans and drawings distinctly showing the premises and the description, construction and course of the still and all the pipes, valves, fittings and connections therewith :

Annex A— *Plan/Drawing No.

Annex B—

Annex C—

etc.

.....

.....

.....

.....

4. *I/We undertake to make entry of the premises and to comply with the provisions of the excise laws relating to the possession *and/or use of Still.

Office
Date
Stamp

.....
Applicant

*(a) Application approved.

Still Licence to be issued under the following special conditions :

*(b) Application rejected for the following reasons :

.....

.....

.....

.....

Office
Date
Stamp

.....
for the Board

Still Licence No. of issued.

Office
Date
Stamp

.....
for Chief Collector

Area.....

* Delete where inapplicable.

(206/0/148)

TO BE COMPLETED IN DUPLICATE

(Reg. 4 (a))

SECOND SCHEDULE

Form Ex. 5

CUSTOMS AND EXCISE (NIGERIA)

STILL LICENCE

No. 19.....

Pursuant to section 2 of the Excise (Control of Distillation) Act 1964,
and the Regulations made thereunder,

.....
(Name of Still *Possessor/User)
*holder of Distiller's Licence No. of
whose *Registered/Head Office is at.....

.....
 *is/are hereby licensed as a *Possessor/User of *Still/Stills, of the following descriptions :

.....
 at *his/their entered premises at

.....
 subject to the following conditions :

- (1) The licensee shall comply with the provisions of the excise laws relating to the possession or use of a Still.
- (2) The *still/stills shall not be disposed of or removed from the entered premises without the written approval from the Board.
- (3) The licensee shall display this licence in a conspicuous place at *his/their entered premises.
- (4) This licence is not transferable.
- (5) This licence expires on the 31st December.....but may at any time be revoked in accordance with the provision of the excise laws.
- (6) Special conditions (if any).....

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

Office
Date
Stamp

.....
for the Board

This licence is accepted by *me/us subject to the conditions stated hereon.

Office
Date
Stamp

.....
Licensee

* Delete where inapplicable.
 (206/0/146)

L.N. 68 of 1965

FIREARMS ACT (CAP. 69)
Public Armoury (Ogoja) Notice 1965

Commencement : 1st June 1965

Notice is hereby given that in exercise of the powers conferred upon him by section 14 of the Firearms Act, the Prime Minister has established the armoury at the place specified in the first column of the Schedule hereto as a Public Armoury for the deposit of firearms and ammunition, and has prescribed the officer specified in the second column of the Schedule to be in charge thereof.

SCHEDULE

<i>Public Armoury</i>	<i>Officer in Charge</i>
Provincial Headquarters Police Station, Ogoja	Police Officer in charge of Ogoja Province

DATED at Lagos this 12th day of June 1965.

S. O. WEY,
Secretary to the Prime Minister

L.N. 69 of 1965

THE LEGAL PRACTITIONERS ACT 1962
 (1962 No. 33)

The Legal Practitioners (Disciplinary Tribunal) Rules 1965

Commencement : 19th June 1965

In exercise of the powers conferred by paragraph 2 of the Second Schedule to the Legal Practitioners Act 1962, and of all other powers enabling me in that behalf, I hereby make the following Rules—

Citation, and
application.

1. These rules may be cited as the Legal Practitioners (Disciplinary Tribunal) Rules 1965 and shall apply throughout the Federation.

Interpreta-
tion.

2. In these rules—

“Chief Justice” means the Chief Justice of Nigeria.

“Complainant” means

(a) where an allegation has been referred to the Panel for investigation at the instance of a private person, that person ; and

(b) in any other case, the Attorney-General of the Federation.

“Official member” means the Attorney-General of the Federation or of a Region as the case may be or a Judge of the High Court.

“Unofficial member” means a member other than an official member.

“Secretary” means the Chief Registrar of the Supreme Court.

“Tribunal” shall include a division of the tribunal.

Reference
of case to
tribunal by
panel.

3. In any case where in pursuance of section 6 (3) of the Act the panel is of the opinion that a prima facie case is shown against a legal practitioner, the panel shall forward a report of such a case to the Secretary together with all the documents considered by the panel, and a copy of the charges on which the Panel is of the opinion that a prima facie case is shown.

Membership
of Tribunal
to hear case.

4.—(1) The Secretary shall report the finding of the panel to the Chief Justice and to the members of the tribunal and thereupon the following members of the tribunal shall hear and determine the case—

(a) A Judge of the High Court to be appointed by the Chief Justice after consultation with the Chief Justice of the High Court concerned;

(b) the Attorney-General of the territory in which the legal practitioner concerned has his principal place of business; and

(c) such other members not being less than three nor more than five as the Chairman of the Bar Council may deem fit to appoint.

(2) In making appointments under this section, the Chief Justice shall only appoint a Judge of the High Court having jurisdiction in the territory where the legal practitioner concerned has his principal place of business and the Chairman of the Bar Council shall appoint at least two unofficial members from that territory.

(3) The judge of the High Court appointed in accordance with paragraph (a) of subsection (1) of this section shall preside at the hearing and shall prescribe the time, place and date of the sittings of the tribunal.

(4) If any question arises as to where a legal practitioner has his principal place of business, the Tribunal shall determine the question and the decision of the Tribunal shall be final.

5.—(1) In addition to the person against whom proceedings are brought, the complainant shall also be a party to the proceedings as well as anybody else considered by the Chairman of the Tribunal to have an interest in the proceedings.

Parties to
proceedings.

(2) Every party to the proceedings shall be entitled to be heard by the Tribunal either personally or through counsel of his choice.

6. The Attorney-General may appoint a legal practitioner to present the case before the tribunal.

Appointment
of legal
practitioner
to present
case.

7.—(1) On the direction of the Chairman of the Tribunal the Secretary shall fix a day for the hearing of the case and shall serve notice thereof on each party to the proceedings.

Fixing of
hearing day
and service
of notice
thereof by
the secretary.

(2) The notice of hearing may be served either personally or by registered post addressed to the residence of each party to the proceedings, or in the case of the legal practitioner against whom charges have been brought, by registered post addressed to his principal place of business or to the address given by him when he last paid a practising fee.

Notice of
Hearing.

(3) The notice shall be in the form set out in the Schedule hereto and there shall be at least 30 days between the service of any such notice and the day fixed therein for the hearing.

Form of
notice.

(4) The Secretary shall serve on each party, other than the complainant, copies of the report of the panel and all the documents considered by the panel.

Service of
report of
panel.

8. If any party fails to appear at the hearing the tribunal may, upon proof of service on such party of the notice of hearing, proceed to hear and determine the case in his absence.

Hearing in
absence of
parties.

Re-hearing
of case
heard in
absence of
parties.

Hearing of
witnesses
and
reception
of document.
Evidence
Act.

Members of
Tribunal not
to represent
Legal
practitioner.

Penalty for
giving false
evidence.

Holding of
proceedings
in private
and
pronounce-
ment of
findings in
public.

Adjourn-
ment of
hearing.

Findings of
tribunal if
legal
practitioner
is found not
guilty.

Findings and
direction of
tribunal if
legal
practitioner
is found
guilty.

Costs.

9. Any party who has failed to appear at the hearing may within one calendar month from the pronouncement of the findings and direction of the tribunal, and upon giving notice to every other party and to the Secretary, apply to the tribunal for a re-hearing. The tribunal, if satisfied that it is just that the case should be re-heard, may grant the application upon such terms as to costs or otherwise as it deems fit.

10.—(1) The tribunal may in the course of its proceedings, hear such witnesses and receive such documentary evidence as in its opinion may assist it in coming to a conclusion as to the truth or otherwise of the allegations of misconduct referred to it by the panel.

(2) In all proceedings before the Tribunal, the provisions of the Evidence Act shall apply, as they do in civil proceedings.

11. No member of the Tribunal (who is not sitting in the division), or of the panel may represent a legal practitioner against whom proceedings have been brought.

12. If any person wilfully gives false evidence on oath before the tribunal during the course of any proceedings, or wilfully makes a false statement in any affidavit sworn for the purposes of any such proceedings, the tribunal shall refer the matter to the appropriate Director of Public Prosecutions for necessary action.

13. The proceedings of the tribunal shall be held in private, but its findings and directions shall be pronounced in public.

14. The tribunal may, of its own motion, or upon the application of any party, adjourn the hearing upon such terms as to costs, or otherwise, as the tribunal shall think fit.

15. If, after the hearing, the tribunal adjudges that the allegations of infamous conduct in a professional respect, have not been proved, the tribunal shall record a finding that the legal practitioner is not guilty of such conduct in respect of the matters to which the allegation relates.

16. If, after the hearing, the tribunal finds that the allegation of infamous conduct in a professional respect, has been proved, the tribunal may, if it thinks fit, give a direction—

(a) ordering the registrar to strike the legal practitioner's name off the roll ; or

(b) suspending that legal practitioner from practice by ordering him not to engage in practice as a legal practitioner for such period as may be specified in the direction ; or

(c) admonishing the legal practitioner.

17. The tribunal may without finding any misconduct proved against a legal practitioner, nevertheless order any party to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the tribunal shall think fit so to order.

18. Subject to the provisions of section 7 of the Act (which relates to the lodging of appeal against the direction of the tribunal), any direction given by the tribunal in accordance with paragraphs (a) and (b) of rule 16 hereof, shall be published in the Gazette of the Federation as soon as such direction takes effect.

Publication of findings and direction of tribunal.

19.—(1) Notes of proceedings—preferably shorthand notes—shall be taken by a person appointed by the tribunal, and any party who appeared at the proceedings shall be entitled to be supplied with a copy or the transcript thereof.

Record of proceedings.

(2) The Secretary shall supply to any person entitled to be heard upon an appeal against the direction of the tribunal, and to the Bar Council, but to no other person, a copy of the transcript of such notes on payment of such charges as may be determined by the Secretary.

20. The tribunal may dispense with any requirement of these rules respecting notices, affidavits, documents, service, or time, in any case where it appears to the tribunal to be just so to do.

Dispensing with provisions of rules.

21. The tribunal may in any given case extend the time for doing anything under these rules.

Extension of time.

22. The tribunal may order that any books, papers, or other exhibits, produced or used at a hearing, shall be retained by the Secretary until such time within which an appeal may be entered has expired; and, if notice of appeal is given, until the appeal is heard or otherwise disposed of.

Exhibits and books to be kept by Secretary.

SCHEDULE

Rule 7

THE LEGAL PRACTITIONERS ACT 1962

Notice of Hearing by the Tribunal

In the matter of A.B., a legal practitioner
and

In the matter of the Legal Practitioners Act 1962

TAKE NOTICE that the report of the Investigating Panel in the above matter is fixed for hearing by the Legal Practitioners Disciplinary Tribunal at on the day of 19..... at o'clock in the fore-noon.....

A copy of the report and other related documents are attached hereto.

DATED.....the.....day of.....19.....

.....
Secretary to the Tribunal

MADE AT LAGOS this 19th day of June 1965.

A. ADE ADEMOLA,
Chief Justice of Nigeria