

L.N. 100 of 1958

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL, 1954 TO 1958

Adaptation of Laws (Southern Cameroons Provisions)
Order, 1958

Commencement : 15th May, 1958

In exercise of the powers conferred by section 110 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, the Governor-General, after consultation with the Council of Ministers, has made the following Order—

1. This Order may be cited as the Adaptation of Laws (Southern Cameroons Provisions) Order, 1958, and shall come into operation on the 15th May, 1958. Citation and commencement.
2. The laws specified in the Schedule shall be read and construed with the adaptations and modifications specified in such Schedule. Adaptation of various laws.
Schedule.
3. Except where it is otherwise expressly provided, where this Order requires that in any section or portion of any existing law certain words shall be substituted for other words or that certain words shall be omitted, that substitution or omission shall be made wherever the words referred to occur in that section or portion of that law. Interpretation.
4. Provisions of this Order which alter the manner in which or the authority by which or the law under which or in accordance with which any powers are exercisable, shall not render invalid any licence, approval, direction, notification, order, bye-law, rule, regulation or delegation duly made or issued, or anything duly done before the commencement of this Order. Any such licence, approval, direction, notification, order, bye-law, rule, regulation, delegation or thing may be revoked, varied or undone to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the appropriate authority. Saving for existing regulations, etc.
5. Nothing in this Order shall affect the operation of or shall affect anything duly done or suffered under any existing instrument or any right, privilege, operation or liability already acquired, accrued or incurred under any law, or any penalty, forfeiture or punishment incurred in respect of any offence already committed against any law. Saving for existing rights and liabilities.

SCHEDULE (Section 2)

CAMEROONS DEVELOPMENT CORPORATION ORDINANCE (CAP. 25)

Sections 5, 6 and 6A

Delete "Governor-General" and substitute—
"Commissioner of the Cameroons".

Section 17

Delete "Governor-General" in subsection (3) and substitute—
"High Commissioner for the Southern Cameroons and Commissioner for the Cameroons".

*Section 370*L.N. 131
of 1954.

In subsection (2) (as inserted by the Adaptation of Laws Order, 1954) after the expression "Governor-General" where it appears for the second time *insert*—

"in respect of a sentence for an offence in respect of which the power of pardon is vested in the High Commissioner for the Southern Cameroons shall mean such High Commissioner,".

1956 ann.
vol., p.D4.

INTERPRETATION ORDINANCE (CAP. 94,
(as re-printed on the 17th May, 1956)

Section 3

(i) In their proper alphabetical order in Part A of the section *insert* the following definitions—

" "Commissioner", in a Law enacted by the Legislature of the Southern Cameroons, means the Commissioner of the Cameroons ;

"High Commissioner", in a Law enacted by the Legislature of the Southern Cameroons, means the High Commissioner for the Southern Cameroons ;

"Minister of the Southern Cameroons", where no Minister of the Southern Cameroons is specified in the context, means the Minister of the Southern Cameroons charged in accordance with section 131B of the Nigeria (Constitution) Order in Council, 1954, with responsibility for the matter to which the context relates ; "

(ii) In Part A of the section, at the end of the definition of "Governor", *delete* the words "the Governor-General acting in his discretion" and *substitute*—

"the Commissioner of the Cameroons, or where such application in respect of the Southern Cameroons has reference to the public service or to any officer therein, the expression means the Governor-General ; "

(iii) In the same Part, at the end of the definition of "Governor in Council" *delete* "the Governor-General acting in his discretion" and *substitute*—

"the Commissioner of the Cameroons".

Section 33

At the end of the section, *add*—

"(3) The provisions of this section shall apply in relation to the High Commissioner for the Southern Cameroons as they apply in relation to the Governor-General."

S.C. Law
13 of 1956.

Section 47A (as enacted by the Interpretation (Amendment) Law, 1956, of the Southern Cameroons).

Delete the section and *substitute*—

"Significa-
tion in
respect of
Orders, etc.
relating to
the
Southern
Cameroons.

47A (1) Where any power is given to the High Commissioner for the Southern Cameroons to make any order, regulation, declaration or appointment or give any authorisation, exemption, notice, direction, approval, permission or consent, it shall be sufficient, unless it is otherwise expressed, for the same to be signified under the hand of the Secretary to the High Commissioner for the Southern Cameroons.

(2) Where any power is given to the Commissioner of the Cameroons to make any order, regulation, declaration, or appointment or give any authorisation, exemption, notice, direction, approval, permission or consent, it shall be sufficient, unless it is otherwise expressed, for the same to be signified under the hand of the Deputy Commissioner of the Cameroons or of the Secretary to the Executive Council of the Southern Cameroons.

(3) Subsections (1) and (2) shall not apply to the issue of any warrant by the High Commissioner for the Southern Cameroons or the Commissioner of the Cameroons, and such warrant shall be under the hand and seal of the High Commissioner or Commissioner as the case may be."

LAND AND NATIVE RIGHTS ORDINANCE (CAP. 105)

Section 2 (as adapted by the Adaptation of Laws Order, 1954).

In paragraph (b) of the definition of "native" *delete* "Governor-General" and *substitute*—

"Commissioner of the Cameroons".

LAND REGISTRATION ORDINANCE (CAP. 108)

Section 18F (as substituted by the Adaptation of Laws (Judicial Provisions) Order, 1955).

L.N. 47 of 1955.

In subsection (2) after "Governor-General" *insert*—

", and, as the case may be, the Chief Justice of the High Court of the Southern Cameroons with the approval of the High Commissioner for the Southern Cameroons,"

PROBATES (RE-SEALING) ORDINANCE (CAP. 179)

Section 7

In subsection (1) (as substituted by the Adaptation of Laws (Judicial Provisions) Order, 1955) *delete* "Governor-General" and *substitute*—

"High Commissioner for the Southern Cameroons".

VACCINATION (CAP. 224)

Section 20 (as amended by the Adaptation of Laws Order, 1954).

Delete the words "Governor-General acting in his discretion" and *substitute*—

"Commissioner of the Cameroons".

WATERWORKS (CAP. 227)

Section 2 (as amended by the Adaptation of Laws Order, 1954).

Delete the words "Governor-General acting in his discretion" and *substitute*—

"Commissioner of the Cameroons".

SOUTHERN CAMEROONS MARKETING BOARD LAW, 1954

(Southern Cameroons Law No. 1 of 1954)

Throughout the Law, except in section 1 and paragraph (b) of subsection (1) of section 4, *delete* "Governor-General" and *substitute*—

"Commissioner".

SOUTHERN CAMEROONS AGRICULTURAL LAW, 1955

(Southern Cameroons Law No. 4 of 1955)

Throughout the Law, except in sections 1 and 3, delete "Governor-General" and substitute—
"Commissioner".

MAGISTRATES' COURTS (SOUTHERN CAMEROONS) LAW, 1955

(Southern Cameroons Law No. 6 of 1955)

Section 35

Delete "Governor-General" and substitute—
"Commissioner".

Section 43

In paragraph (d) of subsection (2), delete "Governor-General" and substitute—
"High Commissioner".

NATIVE AUTHORITY (BORROWING POWERS) LAW, 1955

(Southern Cameroons Law No. 14 of 1955)

Throughout the Ordinance, except in section 1, delete "Governor-General" and substitute—
"Commissioner".

SOUTHERN CAMEROONS DEVELOPMENT AGENCY LAW, 1956

(Southern Cameroons Law No. 11 of 1956)

Throughout the Law, except in section 1 and in the proviso to subsection (3) of section 4, delete "Governor-General" and substitute—
"Commissioner".

MADE at Lagos this 14th day of May, 1958.

MAURICE JENKINS,
Acting Deputy Secretary of the
Council of Ministers

EXPLANATORY NOTE

In accordance with the recent amendment by the Constitution Order, and in view of the coming into effect on the 15th May of the provisions of the amended order vesting executive control of Southern Cameroons affairs in the Executive Council of the Southern Cameroons, this order provides for the adaptation of laws as they apply to the Southern Cameroons. In respect of the many laws which are already expressed to apply to the Southern Cameroons as though it were a Region powers are transferred to the Commissioner who will exercise such powers in consultation with the Executive Council of the Southern Cameroons. In respect of other laws the order reflects the distribution of functions on the principles to be gathered from the present provisions of the constitution.

(Ni.20/8)
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L.N. 101 of 1958

DISTRIBUTION OF GERMAN ENEMY PROPERTY

ORDINANCE, 1957

(No. 42 of 1957)

Distribution of German Enemy Property (Appointment of
Administrator) Order, 1958*Commencement: 15th May, 1958*

In exercise of the powers conferred by section 3 of the Distribution of German Enemy Property Order, 1957, the Governor-General has made the following Order—

1. This Order may be cited as the Distribution of German Enemy Property (Appointment of Administrator) Order, 1958. Citation.

2. WALTER DOUGLAS SCOTT is hereby appointed Administrator for all the purposes of the Distribution of German Enemy Property Ordinance, 1957. Appointment of Administrator.

A. F. F. P. NEWNS,
Secretary to the Governor-General

Lagos, 3rd May, 1958.

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