

Assented to in Her Majesty's name this 22nd day of August, 1958.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 28

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

AN ORDINANCE TO PROVIDE FOR THE RE-ALLOCATION IN KADUNA OF CERTAIN ADMINISTRATIVE AND EXECUTIVE FUNCTIONS CONFERRED BY FEDERAL LAWS PREVIOUSLY CARRIED OUT BY REGIONAL AUTHORITIES WHO NO LONGER EXERCISE FUNCTIONS IN KADUNA.

Title.

[28th August, 1958]

Commence-
ment.

WHEREAS by the Kaduna Capital Law, 1956 of the Northern Region the Resident, Zaria Province, the District Officer, Zaria, the Local Authority, Kaduna and the Zaria Native Authority have ceased to exercise any functions in and with respect to the Capital Territory of Kaduna:

Preamble.

AND WHEREAS it is expedient to make provision for the re-allocation of functions conferred on the said authorities by Federal laws:

NOW, THEREFORE, BE IT ENACTED by the Legislature of the Federation of Nigeria as follows—

Enactment.

1. This Ordinance may be cited as the Kaduna (Federal Administrative and Executive Functions) Ordinance, 1958.

Short title.

Application.

2. This Ordinance shall apply—

(a) to any law enacted by the Federal Legislature or having effect as if it had been so enacted, and

(b) to any power or duty which falls to be exercised in respect of the Capital Territory of Kaduna and which is conferred or imposed directly or indirectly by such law upon—

(i) the Resident, Zaria Province;

(ii) the District Officer, Zaria;

(iii) the Local Authority, Kaduna, or

(iv) The Zaria Native Authority.

Power by
Order to
transfer
functions to
which
Ordinance
applies.

3. The Governor-General may by Order transfer any power or duty to which this Ordinance applies to any officer in the public service of the Federation, or to such officer in the public service of the Northern Region as may be nominated to him by the Governor of the Northern Region.

Laws may
be modified.

4. An Order made under section 3 may make such modifications, whether by means of addition, substitution or deletion, to a law to which this Ordinance applies as may appear necessary for the purpose of this Ordinance, and the provisions of section 42 of the Interpretation Ordinance (which relate to the re-printing of Ordinances which have been amended) shall apply to any modification effected in accordance with this Ordinance as they do to additions, omissions, substitutions and amendments effected by an amending Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives, and is found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA.

Clerk of the House of Representatives

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 29



1958

Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

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SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

AN ORDINANCE TO AMEND THE MEDICAL PRACTITIONERS AND DENTISTS
ORDINANCE (CHAPTER 130 OF THE REVISED EDITION OF THE LAWS,
1948).

[28th August, 1958]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria as
follows—

Enactment.

1. This Ordinance may be cited as the Medical Practitioners and
Dentists (Amendment) Ordinance, 1958.

Short title.

Amendment
of section 8
of Cap. 130
No. 24 of
1951.

2. Section 8 of the Medical Practitioners and Dentists Ordinance, as amended by the Medical Practitioners and Dentists (Amendment) Ordinance, 1951, is amended by the addition at the end thereof of the following additional paragraph—

“(e) the holder of the Diploma of the National Board of Medical Examiners of the United States of America.”

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives, and is found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA.
Clerk of the House of Representatives

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 30

1958



Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

AN ORDINANCE TO AMEND THE SAVINGS BANK ORDINANCE (CHAPTER 204)

[By notice, see section 1]

BE IT ENACTED by the Legislature of the Federation of Nigeria as follows—

1. This Ordinance may be cited as the Savings Bank (Amendment) Ordinance, 1958, and shall come into operation upon such date as shall be appointed by the Governor-General by notification in the *Gazette* after signification of the pleasure of Her Majesty thereon.

Title.

Commence-
ment.

Enactment.

Short title
and
commence-
ment.

Amendment
of section 9
of
Cap. 204.
No. 6 of
1952.

2. Section 9 of the Savings Bank Ordinance is amended by the repeal of subsection (1) (as the same was substituted by the Savings Bank (Amendment) Ordinance, 1952) and of subsection (2) and the substitution therefor of the following new subsections—

"(1) Interest shall be payable at the rate of two and one half per cent per annum on all deposits up to the amount of £30,000 in respect of any one depositor and no interest shall be payable on that portion of any deposit which exceeds £30,000.

(2) The Governor-General in Council may, with the consent of the Secretary of State and upon giving three months notice thereof in the *Gazette*, vary such rate of interest or prescribe such other limit or limits for the payment of interest or the payment of varying rates of interest.

(2A) Interest shall not be payable on any fraction of a pound and shall not commence to accrue after deposit until the next following first day or fifteenth day of the month, whichever shall be the earlier. Interest shall cease on the fifteenth day or the last day of the month, whichever shall be the later, preceding the day on which a deposit is withdrawn."

3. The amendments effected by section 2 shall take effect in respect of deposits existing on the 1st day of September, 1958, with effect from that date, and the repeal effected by that section shall not affect the operation of the repealed subsections prior to that date.

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives, and is found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the House of Representatives

Effective
date.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 32



1958

Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.

Governor-General and Commander-in-Chief

AN ORDINANCE TO MAKE CERTAIN PROVISION IN RESPECT OF THE REMUNERATION OF PERSONS WHO ARE MEMBERS OF MORE THAN ONE STATUTORY CORPORATION, AND FOR SUCH PURPOSE TO EFFECT AMENDMENTS TO VARIOUS ORDINANCES ESTABLISHING SUCH CORPORATIONS.

Title.

[4th September, 1958]

Commencement.

BE IT ENACTED by the Legislature of the Federation of Nigeria as follows—

Enactment.

1. This Ordinance may be cited as the Corporate Bodies (Members' Emoluments) Ordinance, 1958.

Short title and commencement.

Amendment
of various
Ordinances
Schedule.

2. (i) The ordinances specified in the first column of the Schedule are amended in the manner specified in the second column of such Schedule.

(ii) The amendments effected hereby shall be deemed to have been made with effect from the 30th August, 1957.

Amend-
ments to be
inserted in
revised
edition.

3. In accordance with subsection (3) of section 6 of the Revised Edition (Laws of the Federation and Lagos) Ordinance, 1958 and subject to the provisions of that section, the amendments effected hereby shall be taken into account in the preparation of the revised edition of the laws.

SCHEDULE

(Section 2)

1. Lagos Town Planning Ordinance (Chapter 103), as amended by the Lagos Town Planning (Amendment) Ordinance, 1957 (No. 7 of 1957).

In the proviso to section 4A, *add* at the end thereof the following—"otherwise than as a member of the Board or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria".

2. Electricity Corporation of Nigeria Ordinance 1950 (No. 15 of 1950), as amended by the Electricity Corporation of Nigeria (Amendment) Ordinance, 1955 (No. 15 of 1955).

In the proviso to subsection (8) of section 6 *add* at the end thereof the following—"otherwise than as a member of the Corporation or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria".

3. Nigeria Coal Corporation Ordinance, 1950 (No. 29 of 1950).

In para. (i) of the proviso to subsection (4) of section 3 *delete* "to any person who is in receipt of emoluments from the Government" and *substitute*—"to any person who holds an office of profit under the Crown otherwise than as a member of the Corporation or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria".

4. Ports Ordinance, 1954 (No. 27 of 1954).

In the proviso to subsection (5) of section 8 *add* at the end thereof the following—"otherwise than as a member of the Authority or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria".

5. Nigerian Railway Corporation Ordinance, 1955 (No. 20 of 1955).

In the proviso to section 7 *add* at the end thereof the following—
“otherwise than as a member of the Corporation or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria”.

6. Industrial Loans (Lagos and Federation) Ordinance, 1956 (No. 17 of 1956).

In subsection (3) of section 4 *add* at the end thereof, the following—
“otherwise than as a member of the Board or as a member of a body corporate incorporated directly by a law enacted by any legislature in Nigeria”.

7. Nigerian Broadcasting Corporation Ordinance, 1956 (No. 39 of 1956).

(a) In section 2 *delete* the definition of “public office”.

(b) In section 7 *delete* “to any person who holds a public office” and *substitute*—“to any person who holds an office of profit under the Crown otherwise than as a member of the Corporation or as a member of a body corporate incorporated directly by any legislature in Nigeria”.

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives, and is found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the House of Representatives

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.

PART I—GENERAL SUPERVISION AND CONTROL

3. Legislative control, and management of the public finances.
4. Minister's instructions to be complied with, and powers to inspect, etc.

PART II—THE CONSOLIDATED REVENUE FUND

5. Management of Consolidated Fund.
6. Authorised issues from the Fund.
7. Erroneous receipts.
8. Losses.

PART III—INVESTMENTS

9. Authorisation of investments.
10. Investments General. Procedure concerning these.
11. Income of Investments General.
12. Fluctuation in value of Investments General.

PART IV—LEGISLATIVE AUTHORISATION OF EXPENDITURE

13. Annual Estimates in appropriation Bill.
14. Supplementary provision.
15. Contingencies Fund.
16. Unexpended votes to lapse.
17. Provision if appropriation Ordinance not in force.

PART V—OTHER PUBLIC FUNDS OF THE FEDERATION

18. Specification of certain public funds allocated by law.
19. Carrying forward of annual balance.
20. Interest and investment fluctuation to accrue to certain funds.
21. Interest and investment fluctuation to accrue to Consolidated Revenue Fund in certain cases.
22. Fluctuation in value of investments.
23. Rules for management of funds.

PART VI—MISCELLANEOUS

24. Annual accounts of all funds.
25. Transfer of General Revenue Balance.

SCHEDULES

First Schedule—Public Funds of the Federation.

Second Schedule—Development Fund Rules.

Third Schedule—Contingencies Fund Rules.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 33



1958

Federation of Nigeria

IN THE SEVENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN ELIZABETH II

SIR JAMES WILSON ROBERTSON, G.C.M.G., G.C.V.O., K.B.E.
Governor-General and Commander-in-Chief

**AN ORDINANCE TO PROVIDE FOR THE CONTROL AND MANAGEMENT OF THE
PUBLIC FINANCES OF THE FEDERATION AND FOR MATTERS CONNECTED
THEREWITH.**

Title.

[31st July, 1958]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria as
follows—

Enactment.

**1. This Ordinance may be cited as the Finance (Control and Manage-
ment) Ordinance, 1958, and shall be deemed to have come into operation on
the 31st day of July, 1958.**

Short title
and com-
mencement.

Inter-
pretation.

2. (1) In this Ordinance, unless the context otherwise requires—

"Accountant-General" means the Accountant-General of the Federation;

"appropriation Ordinance" means the Ordinance enacted in each year the principal purpose of which is the appropriation of public moneys for such services as are specified in such Ordinance;

"Consolidated Revenue Fund" means the Consolidated Revenue Fund of the Federation established by section 154A of the Constitution Order;

"Constitution Order" means the Nigeria (Constitution) Order in Council, 1954, as the same may have been amended from time to time, and a reference to any provision thereof shall be construed as a reference to such provision as the same may be re-enacted, if it has been revoked and re-enacted without substantial modification;

"Minister" means the Minister charged with responsibility for matters relating to finance.

"public moneys" include—

(a) the public revenues of the Federation, and,

(b) any moneys held in his official capacity, whether temporarily or otherwise, and whether subject to any trust or specific allocation or not, by any officer in the Public Service of the Federation or any Region on behalf of the Government of the Federation, or by any agent of the Government, either alone or jointly with any other person;

"statutory expenditure" has the meaning assigned thereto by subsection (4) of section 154B of the Constitution Order, and having regard to subsection (2) of this section accordingly means—

(a) the expenditure charged on the Consolidated Revenue Fund by any provision of that Order, and,

(b) such other expenditure as shall from time to time be charged by law on the Consolidated Revenue Fund or the general revenue and assets of the Federation or on the other public funds of the Federation, and shall include expenditure which constitutes such a charge by virtue of the provisions of this Ordinance;

"supplementary appropriation Ordinance" means any Ordinance the principal purpose of which is the appropriation of moneys in supplementation of the appropriation already made by an appropriation Ordinance.

(2) The expenditure of moneys appropriated or granted by an appropriation Ordinance or a supplementary appropriation Ordinance shall not by virtue only of such appropriation Ordinance or supplementary appropriation Ordinance be deemed to amount to a charge on the fund out of which such expenditure is authorised to take place, and such expenditure shall accordingly not be comprised within the definition of statutory expenditure hereinbefore contained.

(3) A reference to the Minister in this Ordinance in relation to the signing or issue of a warrant shall imply a similar authority enabling the Governor-General to sign or issue such warrant if he shall think fit.

PART I—GENERAL SUPERVISION AND CONTROL

3. The Minister shall so supervise the expenditure and finances of the Federation as to ensure that a full account is made to the Legislature and its financial control is maintained and for such purposes shall, subject to the provisions of the Constitution Order and of this Ordinance, have the manage-

Legislative
control, and
management
of the public
finances,

ment of the Consolidated Revenue Fund and the supervision, control and direction of all matters relating to the financial affairs of the Federation which are not by law assigned to any other Minister.

4. (1) Every person concerned in or responsible for the collection, receipt, custody, issue or payment of public moneys, stores, stamps, investments, securities, or negotiable instruments, whether the property of Government or on deposit with or entrusted to Government or any public officer in his official capacity either alone or jointly with any public officer or any other person, shall obey all instructions that may from time to time be issued by the Minister or by direction of the Minister in respect of the custody and handling of the same and accounting therefor.

Minister's instructions to be complied with, and powers to inspect, etc.

(2) The Permanent Secretary exercising supervision over any department of Government for which the Minister is charged with responsibility, and any other officer subordinate to such Permanent Secretary, shall be entitled to inspect all offices and shall be given access at all times thereto and shall be given all available information he may require with regard to the moneys and property specified in subsection (1) and to all documents and records in respect thereof, so far as may in any way be necessary in the opinion of the Minister for the purpose of compliance with the provisions of section 3 and subsection (1) of this section.

PART II—THE CONSOLIDATED REVENUE FUND

5. The management of the Consolidated Revenue Fund shall be conducted in accordance with the provisions of the Constitution Order and in particular section 154A thereof and this Ordinance.

Management of Consolidated Fund.

6. (1) It shall be lawful for the Minister to authorise by warrant the issue from the Consolidated Revenue Fund of moneys necessary to meet statutory expenditure or to meet the cost of any purpose for which any sum has been appropriated in accordance with any Ordinance.

Authorised issues from the Fund.

(2) In respect of the issue of moneys other than statutory expenditure, no authority shall be given under subsection (1) in excess of the sum appropriated for the purpose concerned.

(3) Notwithstanding the issue of a warrant, the Governor-General or the Minister may limit or suspend expenditure (not being statutory expenditure) with or without cancellation of the warrant if in his opinion financial exigencies or the public interest require.

7. The repayment of any moneys received in error by the Consolidated Revenue Fund is hereby charged on the Fund, and the Minister may by warrant authorise an issue to effect such repayment.

Erroneous receipts.

8. Where a loss has occurred of any moneys forming part of the Consolidated Revenue Fund, or it is necessary to make a further issue therefrom in respect of moneys already issued therefrom which have been misappropriated or lost, or it is necessary to make an issue therefrom to effect the replacement of any Government property which has been misappropriated or lost, then subject to any express provision of this or any other Ordinance an adjustment of the Fund or an issue from the Fund for such purpose shall only be effected by the issue of a warrant by the Minister under the authority of an appropriation or supplementary appropriation Ordinance.

Losses.

PART III—INVESTMENTS

Authorisa-
tion of
investments.

9. (1) The Consolidated Revenue Fund, and any other public fund of the Federation subject to any express provisions of law regulating any such public fund, may in part consist of deposits with a bank, or with the Joint Consolidated Fund, either at call or subject to notice not exceeding six months, or of any investments in which a trustee in Nigeria may lawfully invest trust funds, and the disposition of moneys of the Consolidated Revenue Fund or of such other public fund (subject as aforesaid) for any such purpose shall need no legislative authority other than that contained in this section and may be made by the Accountant-General or the Crown Agents for Oversea Governments and Administrations in accordance with specific instructions issued by the Minister.

(2) No moneys deposited or invested otherwise than in accordance with subsection (1) may form part of the Consolidated Revenue Fund, or of any other public fund of the Federation, and the disposition of any moneys from that Fund or those funds for any purpose other than the form of deposit or investment specified in that subsection shall be made in accordance with the procedure prescribed in this Ordinance or in accordance with the provisions of law regulating the fund in question.

Investments
General.
Procedure
concerning
these.

10. (1) The Accountant-General shall maintain under the designation of Investments General a record of certain investments.

(2) Investments General shall consist of—

(a) those investments forming part of Consolidated Revenue Fund by virtue of section 9;

(b) any investments held in respect of moneys being part of the Contingencies Fund referred to in section 15;

(c) such investments held in respect of the public funds of the Federation specified in the First Schedule that the Minister shall designate in writing: Provided that the Minister shall not designate any fund in respect of which by virtue of the provisions of law regulating such fund neither the receipts and outgoings nor the appreciation and depreciation of the investments forming part of the fund may accrue or does accrue to the Consolidated Revenue Fund.

Income of
Investments
General.

11. (1) All income accruing to Investments General shall accrue to the Consolidated Revenue Fund and shall be included in the annual statement of revenue of the Federation for each financial year.

(2) This section shall come into operation in respect of investments included in the record of Investments General at any time during the period of twelve months ending the 31st day of March, 1959, and in respect of all interest accruing within such period.

Fluctuation
in value of
investments
of Invest-
ments
General.

12. (1) The Accountant-General shall in each year value any securities forming part of Investments General by assigning thereto the mean market price of such securities at the close of business on the last day in the year for which such information is available.

(2) Any appreciation or depreciation arising from the valuation of such securities, together with any profits or losses arising from the sale or redemption of such securities, shall be credited or debited direct to the Consolidated Revenue Fund, and be shown as an addition to or deduction from the opening balance of the Consolidated Revenue Fund in the annual statement of assets and liabilities of the Federation.

PART IV—LEGISLATIVE AUTHORISATION OF EXPENDITURE

13. (1) In accordance with the provisions of the Constitution Order, the Minister shall cause to be prepared in each financial year estimates of the revenues and expenditure of the Federation for the next following financial year, which shall be presented to the Governor-General for approval and when approved by him shall be laid before the House of Representatives at a meeting commencing before the 1st day of April of the financial year to which they relate.

Annual
Estimates in
appropriation
Bill.

(2) The proposals for all expenditure to be made out of the Consolidated Revenue Fund contained in such estimates (other than statutory expenditure as defined in section 2) shall be submitted to the vote of the House at that meeting by means of an appropriation Bill, which shall contain estimates under appropriate Heads for the several services required.

14. When it is necessary in respect of any financial year to provide for expenditure to be made out of the Consolidated Revenue Fund (other than statutory expenditure as aforesaid) upon any service not already provided for by the appropriation Ordinance or any supplementary appropriation Ordinance relating to that year or which is in excess of the provision made in respect of that service by that appropriation Ordinance or any supplementary appropriation Ordinance, proposals for such expenditure shall be submitted to the vote of the House of Representatives by means of a supplementary appropriation Bill which shall contain that expenditure under appropriate Heads.

Supplemen-
tary
provision.

15. (1) There shall be provided out of the Consolidated Revenue Fund upon the coming into operation of this Ordinance the sum of One Million Pounds for the establishment of a Fund to be known as the Contingencies Fund.

Contingen-
cies Fund.

(2) The Contingencies Fund may be utilised for making moneys available to meet expenditure (other than statutory expenditure as aforesaid) which is not provided for in the appropriation Ordinance for the current year, and which although otherwise falling to be met out of the Consolidated Revenue Fund cannot be postponed, or cannot without serious injury to the public interest be postponed, until a supplementary appropriation Ordinance providing for it can be passed into law.

16. Subject to any express provision of an appropriation Ordinance or supplementary appropriation Ordinance, moneys appropriated thereby and not expended shall lapse and accrue to the Consolidated Revenue Fund at the expiration of the year in respect of which they are appropriated.

Unexpended
votes to
lapse.

17. (1) If the appropriation Ordinance has not come into operation at the commencement of any financial year, the Minister may authorise by warrant the issue from the Consolidated Revenue Fund of such moneys as are necessary for carrying on the services of the Government at a level not exceeding the level of those services prevailing in the previous financial year for a period of four months or until the appropriation Ordinance comes into operation whichever is shorter.

Provision if
appropriation
Ordinance not in
force.

(2) Any moneys so authorised to be issued shall not exceed the sum specified for such service in the estimates presented for the current year and shall be set off against the amounts respectively provided in the appropriation Ordinance upon the same coming into operation.

PART V—OTHER PUBLIC FUNDS OF THE FEDERATION

Specification
of public
funds alloca-
ted by law.
First
Schedule,
Part I.

18. (1) The public funds specified in Part I of the First Schedule shall be deemed to have been established with effect from the 1st day of April, 1958, and subject to the provisions of sections 20 and 21 and the express provisions of law regulating any such fund, the balances in such funds on that date, and the receipts and earnings and other items respectively accruing to such funds since that date, shall be deemed to be allocated by law for the purposes therein specified in respect of each such fund.

(2) Whenever moneys are allocated by law to establish a fund or whenever it shall appear to the Minister that any public fund which is the property of the Federation or which comes into the possession of the Federation or of any public officer on behalf of the Federation, but which is not specified in the First Schedule, is by the provisions of law regulating such fund allocated for a specific purpose, and that for that reason such fund should not form part of the Consolidated Revenue Fund, the Minister shall by order amend Part II of the First Schedule by the addition of the title of such fund and a reference to the specific purpose to which it is allocated.

First
Schedule.
Part II.

(3) The Treasury funds specified in Part III of the First Schedule shall with effect from the 1st day of April, 1958, be deemed to have been established and to be public funds of the Federation allocated by law for the specific purposes therein specified in respect of each such fund.

First
Schedule.
Part III.

(4) Moneys coming into the possession of the Federation since the 1st day of April, 1958, which are held on behalf of other persons or bodies and which do not accrue to any other fund specified in the First Schedule shall be deemed to have accrued to and shall be credited to the Treasury Clearance Fund specified in Part III of such Schedule.

(5) The Minister may by Order amend the First Schedule by the deletion therefrom of the particulars relating to any fund which may lawfully be absorbed into and form part of the Consolidated Revenue Fund or which has otherwise ceased to exist.

Carrying
forward of
annual
balance.

19. Subject to the provisions of any law regulating any public fund, the balance remaining in such fund at the end of each financial year shall during the continuance of the existence of such fund be carried forward to the credit of that fund at the beginning of the next financial year.

Interest and
investment
fluctuation
to accrue to
certain funds.

20. Unless by the provisions of law regulating any fund specified in the First Schedule it is provided that interest earned by that fund shall accrue to the Consolidated Revenue Fund, that interest, and all receipts, earnings and other items accruing in respect of such fund, shall be credited to the fund itself, and any appreciation or depreciation in the value of any investments of such fund arrived at in accordance with section 22 shall similarly be taken to the account of that fund.

Interest and
investment
fluctuation
to accrue to
Consolidated
Revenue
Fund in
certain cases.

21. (1) Where by the provisions of law regulating any fund specified in the First Schedule it is provided that interest earned by that fund shall accrue to the Consolidated Revenue Fund, any depreciation in the value of investments of that fund and any losses on the sale or redemption of such investments shall be borne by the Consolidated Revenue Fund and any appreciation in the value of investments of such fund, and any profit on the sale or redemption of such investments, shall similarly accrue to the Consolidated Revenue Fund, save that any appreciation or depreciation in the

value of investments and profit or loss on the sale or redemption of investments forming a part of the Reserve Fund referred to in that Schedule shall be taken to the account of the Reserve Fund itself.

(2) Interest earned by the following funds specified in the First Schedule shall accrue to the Consolidated Revenue Fund—

- (a) Marine Renewals Fund;
- (b) Stock Transfer Stamp Duty;
- (c) Reserve Fund;
- (d) Development Fund;
- (e) University College Capital Account;
- (f) Nigerian College of Arts, Science and Technology Capital Account;
- (g) University College Endowment Fund;
- (h) Contingencies Fund.

22. (1) The Accountant-General shall in each year value any securities, other than those forming part of Investments General as provided for in section 10, held by any of the funds specified in the First Schedule by assigning thereto the mean market price of such securities at the close of business on the last day in the year for which such information is available.

Fluctuation
in value of
investments.

(2) Any appreciation or depreciation in the valuation of such securities so assigned, together with any profits or losses arising from the sale or redemption of such securities, shall be credited or debited direct to the Consolidated Revenue Fund or to the fund in question in accordance with the provisions of section 20 or section 21 as the case may be.

23. (1) Disbursement from any funds specified in the First Schedule (other than the Development Fund and the Contingencies Fund) shall be made in accordance with rules to be made by the Governor-General and approved by Resolution of the House of Representatives.

Rules for
management
of funds.

(2) Until the approval of such rules by the House of Representatives or until the 31st day of March, 1959, whichever shall be the sooner, disbursements may be made in accordance with instructions issued by the Minister and any disbursements made before the coming into operation of this Ordinance shall be deemed to have been so made.

(3) All rules made under subsection (1) and all instructions issued under subsection (2) in respect of any fund shall be consistent with the provisions of law regulating that fund.

(4) The Development Fund and the Contingencies Fund referred to in the First Schedule shall be operated in accordance with the rules set out in the Second and Third Schedules respectively. The provisions of the Second and Third Schedules may be amended by further rules made by the Governor-General and published in the Gazette:

Provided that such further rules shall cease to have effect if a Resolution at the next meeting of the House of Representatives thereafter shall so require.

PART VI—MISCELLANEOUS

24. The Accountant-General shall sign and present to the Director of Federal Audit accounts showing fully the financial position on the last day of each financial year of the Consolidated Revenue Fund and of the funds specified in the First Schedule and such accounts shall form part of the

Annual
accounts of
all funds.

(No. 38 of
1956).

accounts referred to in sections 13, 14 and 15 of the Audit Ordinance, 1956, but notwithstanding the provisions of section 13 of that Ordinance, the accounts relating to the University College Capital Account referred to in the First Schedule shall be signed and presented as soon as may be practicable to do so after the close of the financial year.

Transfer of
General
Revenue
Balance.

25. There shall be deemed to have been paid into the Consolidated Revenue Fund from the General Revenue Balance shown in the accounts of the Government of the Federation on the 1st day of April, 1958, the sum of Two Million Four Hundred Thousand Pounds, being the balance of the General Revenue Balance account at the close of such account on the 31st day of March, 1958, after deducting therefrom—

(a) the sum of money appropriated by Resolution of the House of Representatives on the 14th day of March, 1958, for payment into the Development Fund, and

(b) the sums totalling Two Million Six Hundred Thousand Pounds provided for the purpose of the Treasury funds established by subsection (3) of section 18 of this Ordinance.

FIRST SCHEDULE

(Section 18)

PUBLIC FUNDS OF THE FEDERATION

PART I—FUNDS ESTABLISHED WITH EFFECT FROM THE 1ST APRIL, 1958

(1) Marine Renewals Fund :

To provide for the replacement of Government marine vessels.

(2) Water Supply Renewals Fund :

To provide for the replacement of plant and equipment for water supplies.

(3) Stock Transfer Stamp Duty Fund :

To meet stamp duties on transfer of Nigerian Government stock.

(4) Widows' and Orphans' Pension Fund :

To provide for the payment of benefits in accordance with the Widows' and Orphans' Pension Ordinance.

(5) Reserve Fund :

To provide a reserve for use in major emergency.

(6) Development Fund :

To finance the general capital expenditure of the Government, including non-recurrent statutory expenditure not suitable for inclusion in the Estimates of Recurrence Expenditure.

(7) Deceased Officers' Children's Education Grant :

To make grants towards the cost of educating the children of deceased officers.

(8) Sir Alfred Jones' Bequest :

To provide technical education for Nigerians.

- (9) **K. W. Marchant Memorial Fund :**
To provide prizes for students at King's College, Lagos.
- (10) **University College Capital Account :**
To provide for approved schemes of capital expenditure on the University College Ibadan.
- (11) **Nigerian College of Arts, Science and Technology Capital Account :**
To provide for approved schemes of capital expenditure on the Nigerian College of Arts, Science and Technology.
- (12) **University College Endowment Fund :**
To provide for anticipated deficits in the University College's recurrent expenditure.

PART II—FUNDS ESTABLISHED UPON OR AFTER COMMENCEMENT OF ORDINANCE

- (1) **Contingencies Fund :**
The Fund established by section 15 of this Ordinance for the purposes therein specified.

PART—III TREASURY FUNDS DEEMED TO BE PUBLIC FUNDS

- (1) **Personal Advances Fund :**
An amount of One Million Pounds, to provide for advances lawfully made to members of the House of Representatives and to members of the public service.
- (2) **Nigerian Governments Clearance Fund :**
An amount of Seven Hundred and Fifty Thousand Pounds, to provide for the balance from time to time on current account in respect of transactions between the Government and the Governments of the Regions and of the Southern Cameroons.
- (3) **Treasury Clearance Fund :**
An amount of One Hundred Thousand Pounds, to provide for acceptance and repayment of deposits and for non-personal advances and to provide for payments on behalf of other administrations.
- (4) **Southern Cameroons Minimum Guarantee Fund :**
An amount of Seven Hundred and Fifty Thousand Pounds, to implement Resolutions of the House of Representatives dated 5th April, 1955 relating to the provision of minimum revenue for the Southern Cameroons in the three financial years ending the 31st day of March, 1958.

SECOND SCHEDULE

(Section 23)

RULES FOR THE OPERATION OF THE DEVELOPMENT
FUND

1. The Development Fund will be used to finance general capital expenditure of the Government of the Federation and the accounts relating thereto shall be kept by the Accountant-General.

2. The receipts of the Development Fund shall consist of—

(a) the product of loans raised by the Government of the Federation for purposes for which the Fund is set up unless allocated by or under this or some other law to some other purpose;

(b) development grants made to the Government of the Federation by Her Majesty's Government;

(c) development grants made to the Government of the Federation by any other government or body;

(d) sums from time to time authorised by law.

3. (1) No moneys shall be withdrawn from the Fund for the purpose of meeting any expenditure except upon the authority of a Warrant under the hand of the Minister.

(2) Subject to the provisions of rules 5 and 7, no such Warrant shall be issued (except in respect of statutory expenditure) unless that expenditure has been authorised by a Resolution of the House of Representatives, under the authority of these rules.

4. (1) The Minister shall cause to be prepared in each financial year estimates of the receipts and expenditure in respect of the Development Fund for the next following financial year which shall be laid before the House of Representatives.

(2) The proposals for all expenditure contained in the estimates (other than statutory expenditure) shall be submitted to the vote of the House of Representatives by means of a motion which shall seek to authorise expenditure under appropriate Heads for the several services required.

5. (1) When in any financial year the capital estimates or supplementary capital estimates for that year show a figure for the estimated total cost of any item of any sub-head over any period which is in excess of the total sum appropriated for that item for the current year, the Minister of Finance may by Warrant authorise the expenditure of any sum which when added to the expenditure incurred on the same item in previous years and to the expenditure already authorised for the same item for the current year does not cause to be exceeded the latest estimated expenditure for that item included in the capital estimates or supplementary capital estimates approved by the House of Representatives for that year.

(2) When in any financial year the provisions included for any item in the capital estimates or supplementary capital estimates of the immediately preceding year was not fully expended, the Minister may by Warrant authorise the expenditure of the unspent balance of the sum or sums authorised for that item in the immediately preceding financial year, provided that the amount so authorised shall not when added to the expenditure incurred in previous years and to the provision already made in the current year exceed

the latest figure for the estimated total cost of the item included in any capital estimates or supplementary capital estimates approved by the House of Representatives.

(3) No Warrant may be issued under this rule for an amount which if it were expended at once would exhaust the balance of the fund remaining after all other expenditure authorised for the year has been provided for.

(4) Any Warrant issued under the authority of this rule shall be reported to the House of Representatives at its next ensuing meeting.

6. Whenever in circumstances other than those set out in rule 5—

(a) any expenditure (other than statutory expenditure) is incurred or is likely to be incurred in any financial year upon any service which is in excess of the sum provided for that service for that year; or

(b) any expenditure (other than statutory expenditure) is incurred or is likely to be incurred in any financial year upon any service for which expenditure has not been authorised for that year,

the proposals for such expenditure shall be submitted to the vote of the House of Representatives by means of a motion which shall seek to authorise expenditure under appropriate Heads for the services required.

7. (1) Notwithstanding rule 6, the Governor-General in Council may, by Warrant under the hand of the Minister, authorise the issue from the Fund of such sum as may be necessary for expenditure upon any service—

(a) of a special character which is not provided for in the expenditure already authorised by the House for that year; or

(b) which will result in an excess of the sum authorised for any service by the House for that year,

and which in either event cannot, or cannot without serious injury to the public interest, be postponed until adequate provision can be made by the House of Representatives.

(2) No Warrant may be issued for an amount which if it were expended at once would exhaust the balance of the fund remaining after all other expenditure authorised for the year has been provided for.

8. Any issue from the Fund authorised in accordance with the provisions of rule 7, shall be submitted to the House of Representatives for approval in the manner prescribed by rule 6 during its next ensuing meeting.

THIRD SCHEDULE

(Section 23)

RULES FOR THE OPERATION OF THE CONTINGENCIES FUND

1. The Minister may by Warrant authorise the issue from the Contingencies Fund of such sum as may be necessary for expenditure upon any service—

(a) of a special character which is not provided for in the appropriation Ordinance; or

(b) which will result in an excess of the sum provided for that service in the appropriation Ordinance,

and which cannot, or cannot without serious injury to the public interest, be postponed until provision can be made by supplementary appropriation Ordinance.

2. The amount for which any Warrant is issued shall be withdrawn from the Contingencies Fund and shall be paid into the Consolidated Revenue Fund to meet the expenditure specified on the Warrant and the moneys remaining available in the Fund shall be reduced accordingly. Any amounts withdrawn and remaining unspent at the end of the year shall accrue to the Consolidated Revenue Fund.

3. Each Warrant authorising the issue of a sum from the Fund shall specify under which Head or Heads of the expenditure estimates the expenditure of the sum issued shall be recorded and such expenditure shall be accounted for in the same manner as if it had been authorised by a supplementary appropriation Ordinance.

4. (1) All withdrawals from the Fund shall be reported to the House of Representatives at its next ensuing meeting and the House shall be asked to appropriate from the Consolidated Revenue Fund to the Contingencies Fund a sum equal to the total of the sums withdrawn and not already made good by previous appropriations from the Consolidated Revenue Fund so that the Contingencies Fund shall be restored to the amount appropriated under section 15 of the Ordinance.

(2) Appropriations to the Contingencies Fund under this rule shall be effected by inclusion in a supplementary appropriation Ordinance and the sums included in accordance with this rule shall be set out separately from any sums it is sought to appropriate under section 13 or 14 of the Ordinance.

5. No moneys shall accrue to the Fund other than moneys appropriated by an Ordinance and any interest or other accruals which might otherwise be received by the Fund shall accrue to the Consolidated Revenue Fund. Any part of the Fund which may be invested shall form part of Investments General referred to in section 10 of the Ordinance.

This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives, and is found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the House of Representatives