

L.N. 148 of 1959

NIGERIA (CONSTITUTION) ORDERS IN COUNCIL,
1954 to 1959

Adaptation of Laws (Unlawful Societies) Order, 1959

Commencement : 25th June, 1959

In exercise of the powers conferred by section 75 of the Nigeria (Constitution) (Amendment) Order in Council, 1959, the Governor-General has made the following Order—

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| 1. This Order may be cited as the Adaptation of Laws (Unlawful Societies) Order, 1959, and (so far as the context permits) has application throughout the Federation. | Citation and application. |
| 2. The existing law specified in the Schedule shall be read and construed with the adaptations and modifications specified in such Schedule. | Adaptation. Schedule. |
| 3. Sections 5 and 6 of the Adaptation of Laws Order, 1954, shall apply in respect of the adaptations and modifications effected hereby as fully as though such adaptations and modifications were set out in the Third Schedule to that Order. | Savings. L.N. 131 of 1954. |

SCHEDULE

CRIMINAL CODE ORDINANCE (CAP. 42)

Section 62A

The Code contained in the Schedule to the Ordinance is amended by the insertion after section 62 of the following new section—

"Unlawful societies in Regions. 62A. Without prejudice to the provisions of section 62, a society is an unlawful society if it is declared by an order of the Governor in Council of a Region to be a society dangerous to the good government of the Region or of any part thereof, and for such purpose—

(a) the consent of the Attorney-General of the Federation referred to in section 65 shall be construed as a reference to consent of the Director of Public Prosecutions of the Region or the Attorney-General of the Northern Region, as the case may be, and

(b) the references in sections 67 and 68 to the Governor-General and to the Governor-General in Council shall be construed as references to the Governor and Governor in Council of the Region concerned."

Section 65

Section 65 of the Code is amended by the deletion of the word "Governor-General" where it twice appears and the substitution therefor in both cases of the following—

"Attorney-General of the Federation".

MADE at Lagos this 22nd day of June, 1959.

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

EXPLANATORY NOTE

This adaptation deals with the provisions of the Criminal Code that have to do with the prescription of unlawful societies, and transfers powers in relation thereto to the Governors of Regions in accordance with the general pattern of the division of responsibilities under the Constitution. Section 65 of the Code is adapted to require the consent of the Attorney-General (or Director of Public Prosecutions where appropriate) in lieu of the Governor-General or Governor, which is more in conformity with sections 231 to 233 of the Constitution.

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