

Assented to in Her Majesty's name this 12th day of July, 1960.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 20



1960

Federation of Nigeria

IN THE NINTH 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 NEW PROVISION FOR THE JURISDICTION, POWERS, PRACTICE AND PROCEDURE OF THE COURTS OF THE NORTHERN REGION IN RESPECT OF FEDERAL OFFENCES, TO CONTINUE CERTAIN INTER-REGIONAL ARRANGEMENTS PROVIDED FOR IN THE CRIMINAL PROCEDURE ORDINANCE, AND FOR PURPOSES ANCILLARY TO THE MATTERS AFORESAID.

Title.

[By Notice ; see section 1]

Commence-
ment.

WHEREAS the Legislature of the Northern Region has repealed or proposes to repeal the provisions of the Criminal Procedure Ordinance to the extent that they take effect as the Law of that Region, and to replace the same with a new Code of Criminal Procedure :

Preamble.

AND WHEREAS in respect of Federal offences it is expedient to assimilate the practice and procedure of the courts of the Northern Region with the practice and procedure of those courts in respect of Regional offences :

AND WHEREAS it is expedient to make new provision in relation to the jurisdiction and powers of the courts of the Northern Region in respect of Federal offences, and to provide for the continuance of certain provisions for the compulsory removal of persons into and out of the Region and the reciprocal service of process and other matters :

Enactment.

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

Short title,
commence-
ment and
application.

1. (1) This Ordinance may be cited as the Criminal Procedure (Northern Region) Ordinance, 1960, and shall come into operation on a date to be appointed by the Governor-General by notification in the Gazette.

(2) This Ordinance shall be of Federal application.

Interpreta-
tion.

2. In this Ordinance—

“Federal offence” means an offence contrary to the provisions of a Federal Ordinance, and a reference to a Federal offence committed in the Northern Region shall include an offence committed in such circumstances that the provisions of the Schedule to the Penal Code (Northern Region) Federal Provisions Ordinance, 1960, apply by reason of section 4 of that Ordinance ;

“Federal Ordinance” means an Ordinance enacted by the Federal Legislature or taking effect as if it had been so enacted.

Provision for
courts in
respect of
Federal
offences.

3. (1) Subject to the provisions of this Ordinance and of the Penal Code (Northern Region) Federal Provisions Ordinance, 1960, the courts of the Northern Region shall in respect of Federal offences committed in the Northern Region have the like jurisdiction and powers, and shall follow the like practice and procedure, as they respectively have and follow in respect of offences other than Federal offences.

(2) Section 36A of the Interpretation Ordinance is repealed in its application to the Northern Region.

Jurisdiction
of specified
courts.
Appendix.

4. (1) An offence contrary to the provisions of the Penal Code (Northern Region) Federal Provisions Ordinance, 1960, may be tried by the court specified in the sixth column of the Appendix hereto in respect of that offence or by any court with greater powers.

(2) An abetment, attempt or conspiracy to commit a Federal offence may be tried by a court having jurisdiction to try such Federal offence or by any court with greater powers.

(3) An offence which is contrary to the provisions of a Federal Ordinance other than the Penal Code (Northern Region) Federal Provisions Ordinance, 1960, may be tried by any court specified as having jurisdiction in the Ordinance creating the offence or by any court with greater powers, and where no court is specified as having jurisdiction the offence may be tried by the High Court or any court constituted under the Criminal Procedure Code Law, 1960, of the Northern Region, subject to the same limitations that are prescribed by the proviso to subsection (2) of section 13 of that Law and by sections 15 to 25 of that Law.

5. (1) The powers of arrest provided for in Part III of the Schedule to the Criminal Procedure Code Law, 1960, of the Northern Region, shall be applicable in respect of Federal offences as they apply in respect of offences other than Federal offences, and references in section 26 of the Schedule to that Law to the third column of Appendix A to the Law shall be construed as references to the third column of the Appendix hereto.

Powers of arrest in respect of Federal offences, and method of process.
Appendix.

(2) Process to compel the attendance of the accused person shall ordinarily be a summons or a warrant according as in the opinion of the court a summons or a warrant should according to the fourth column of the Appendix hereto issue in the first instance.

Appendix.

6. In its application to the jurisdiction, powers, practice and procedure of the courts of the Northern Region in relation to Federal offences the Criminal Procedure Code Law, 1960, of the Northern Region shall be read and construed as though references to the Director of Public Prosecutions of the Northern Region were references to the Attorney-General of the Federation, but shall include the Director of Public Prosecutions of the Northern Region to the extent that powers vested in the Attorney-General of the Federation have been delegated to such Director.

Modifications to N.R. Criminal Procedure Code Law.

7. Notwithstanding the repeal of the Criminal Procedure Ordinance by the Criminal Procedure Law, 1960, of the Northern Region in respect of matters not preserved by this section—

Preservation of certain matters in Criminal Procedure Ordinance.

(a) sections 402 to 412 of that Ordinance (relating to deportation) shall continue to apply in respect of deportation into the Northern Region from a place outside the Northern Region and from the Northern Region to a place outside the Northern Region, and

(b) sections 477 to 486 of that Ordinance (relating to service and execution of process throughout Nigeria) shall continue to apply in and in relation to the Northern Region.

Appendix

TABULAR STATEMENT OF OFFENCES

Sections 4 and 5

Explanatory Notes.—1. The entries in the second and fifth columns of this Appendix, headed respectively "Offence" and "Punishment under the Penal Code", are not intended as definitions of the offences and punishment described in the several corresponding sections of the Penal Code or even as abstracts of those sections, but merely as references to the subject of the section, the number of which is given in the first column.

2. By virtue of section 4 of the Criminal Procedure (Northern Region) Ordinance, 1960, any offence may be tried by any court mentioned in column 6.

1	2	3	4	5	6
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Punishment under the Penal Code	Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)
CHAPTER XXVI—OFFENCES AGAINST THE STATE					
411	Treason	Shall not arrest without warrant	Warrant	Death	High Court
	Attempting or abetting the same	ditto	ditto	Imprisonment for life or fine or both	ditto
412	Treasonable crimes	ditto	ditto	Imprisonment for life and fine	ditto
413	Incitement to mutiny	ditto	ditto	ditto	ditto
414	Causing disaffection in forces, police or amongst prison officers	ditto	ditto	Imprisonment for three years or fine of £300 or both	ditto
415	Assisting or allowing escape of prisoners of war—				
	(a) if offender intentionally aids escape	ditto	ditto	Imprisonment for life and fine	ditto
	(b) if offender negligently or unlawfully permits escape	ditto	ditto	Imprisonment for two years or fine or both	ditto
CHAPTER XXVII—SEDITION					
416	Inciting disaffection to the Government	Shall not arrest without warrant	Warrant	Imprisonment for seven years or fine or both	High Court
417	Exciting hatred between classes	ditto	ditto	Imprisonment for three years or fine or both	Magistrate of the First Grade
418	Publication of false news with intent to cause offence against the public peace	Shall not arrest without warrant	Warrant	Imprisonment for three years or fine or both	Magistrate of the First Grade
419	Possession of seditious article	ditto	ditto	Imprisonment for two years or fine or both	ditto

1	2	3	4	5	6
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Punishment under the Penal Code	Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)
421	Importation of prohibited publications	Shall not arrest without warrant	Warrant	Imprisonment for three years or fine or both	Magistrate of the First Grade
422	Unlawful drilling	ditto	ditto	Imprisonment for seven years or fine or both	ditto
CHAPTER XXVIII.—CUSTOMS OFFENCES					
423	Smuggling or rescuing goods under arms	May arrest without warrant	Summons	Imprisonment for seven years or fine or both	Magistrate of the First Grade
424	Smuggling under arms or in disguise	ditto	ditto	ditto	ditto
425	Assembling for the purpose of smuggling	ditto	ditto	Imprisonment for six months or fine of £100	ditto
CHAPTER XXIX.—OFFENCES RELATING TO COPYRIGHT					
426	Making or dealing in copies of copyright work	Shall not arrest without warrant	Warrant	Imprisonment for two months or fine of £50 or both	Magistrate of the First Grade
427	Being in possession of plate for making copies; giving unauthorized performances of copyright work	Shall not arrest without warrant	Warrant	Imprisonment for two months or fine of £50 or both	Magistrate of the First Grade
CHAPTER XXX.—OFFENCES RELATING TO SHIPS AND WHARVES					
429	Offences relating to ships	Shall not arrest without warrant	Warrant	Fine of £5	Magistrate of the Third Grade
	If offender after committing such offence refuses to give name and address	ditto	ditto	Fine of £20	ditto
430	Entering ship or wharf without ticket	ditto	ditto	Imprisonment for one month or fine or both	ditto

1	2	3	4	5	6
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Punishment under the Penal Code	Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)
431	Interfering with navigation works	Shall not arrest without warrant	Warrant	Imprisonment for seven years or fine or both	Magistrate of the First Grade
CHAPTER XXXI—OFFENCES RELATING TO COIN AND NOTES					
433	Counterfeiting coin or notes	Shall not arrest without warrant	Warrant	Imprisonment for life and fine	Chief Magistrate
434	Making or selling instrument for counterfeiting coin or notes	ditto	ditto	ditto	ditto
435	Possession of instrument or material for counterfeiting	ditto	ditto	Imprisonment for fourteen years or fine or both	ditto
436	Import or export of counterfeit coin or notes	Shall not arrest without warrant	Warrant	Imprisonment for fourteen years and fine	Chief Magistrate
437	Fraudulently diminishing weight or altering composition of coin	ditto	ditto	Imprisonment for ten years and fine	ditto
438	Delivery of coin or note possessed with knowledge that it is counterfeit	ditto	ditto	Imprisonment for seven years and fine	ditto
439	Possession of coin or note by person who knew it to be counterfeit when he became possessed thereof	ditto	ditto	ditto	ditto
CHAPTER XXXII—OFFENCES RELATING TO REVENUE STAMPS					
441	Counterfeiting revenue stamp	Shall not arrest without warrant	Warrant	Imprisonment for seven years and fine	Chief Magistrate
442	Having possession of instrument or material for counterfeiting revenue stamp	ditto	ditto	Imprisonment for fourteen years and fine	ditto

1	2	3	4	5	6
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Punishment under the Penal Code	Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)
443	Making or selling instrument for counterfeiting revenue stamp	Shall not arrest without warrant	Warrant	Imprisonment for fourteen years and fine	Chief Magistrate
444	Import, export, use or sale of counterfeit revenue stamps	ditto	ditto	Imprisonment for seven years and fine	ditto
445	Having possession of counterfeit revenue stamp	ditto	ditto	ditto	ditto
446	Effacing writing from substance bearing revenue stamp, or removing from document a stamp used for it, with intent to cause loss	ditto	ditto	Imprisonment for three years or fine or both	Magistrate of the First Grade
447	Using revenue stamp known to have been used before	ditto	ditto	Imprisonment for two years or fine or both	ditto
448	Erasure of mark denoting that revenue stamp has been used	ditto	ditto	Imprisonment for three years or fine or both	ditto
CHAPTER XXXIII—OFFENCES RELATING TO WEIGHTS AND MEASURES					
449	Fraudulent use of false instrument for weighing	Shall not arrest without warrant	Warrant	Imprisonment for one year or fine or both	Magistrate of the Second Grade
450	Fraudulent use of false weight or measure	ditto	ditto	ditto	ditto
451	Being in possession of false weight or measure	Shall not arrest without warrant	Warrant	Imprisonment for one year or fine or both	Magistrate of the Second Grade
452	Making or selling false weight or measure	ditto	ditto	ditto	ditto

1	2	3	4	5	6
Section	Offence	Whether the police may arrest without warrant or not	Whether a warrant or a summons shall ordinarily issue in the first instance	Punishment under the Penal Code	Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)

CHAPTER XXXIV—OFFENCES RELATING TO POSTS AND TELEGRAPHS

454	Paper and dies for postage stamps	Shall not arrest without warrant	Warrant	Imprisonment for one year or fine of £50 or both	Magistrate of the Third Grade
455	Paper for postal purposes	ditto	ditto	Imprisonment for two years or fine or both	ditto
456	Stopping mails	ditto	ditto	Imprisonment for life or fine or both	Chief Magistrate
457	Intercepting telegrams or postal matter	ditto	ditto	Imprisonment for seven years or fine or both	Magistrate of the First Grade
	If postal matter contains money, etc.	ditto	ditto	Imprisonment for life or fine	Chief Magistrate
458	Misdelivery of postal matter	ditto	ditto	Imprisonment for three years or fine or both	Magistrate of the Third Grade
459	Retarding delivery of postal matter	ditto	ditto	Imprisonment for one year or fine or both	ditto
460	Fraudulently removing stamps	ditto	ditto	ditto	ditto
461	Fraudulent evasion of postal law	ditto	ditto	Fine of £50	ditto
462	Unlawful franking of letters	ditto	ditto	Imprisonment for one year or fine or both	ditto
463	Sending dangerous or obscene things by post	ditto	ditto	ditto	ditto
464	Illegally setting up of post office	ditto	ditto	Fine of £5	ditto
465	Damaging post office, etc.	ditto	ditto	Fine of £50	ditto
466	Placing injurious substances in or against letter box	ditto	ditto	Fine of £20	ditto

1	2	3	4	5	6
<i>Section</i>	<i>Offence</i>	<i>Whether the police may arrest without warrant or not</i>	<i>Whether a warrant or a summons shall ordinarily issue in the first instance</i>	<i>Punishment under the Penal Code.</i>	<i>Court with least powers by which triable (But see Explanatory Note (2) at head of Appendix)</i>
467	Interference with telegraphs	Shall not arrest without warrant	Warrant	Imprisonment for three years or fine or both	Magistrate of the Third Grade
468	Negligently injuring telegraphs	ditto	ditto	Fine of £2	ditto
CHAPTER XXXV—OFFENCES RELATING TO RAILWAYS AND AIRCRAFT					
469	Intentionally endangering safety of persons travelling by railway	May arrest without warrant	Summons	Imprisonment for life and fine	Magistrate of the First Grade
470	Obstructing and injuring railways	ditto	ditto	ditto	ditto
471	Damage to railways works	May arrest without warrant	Summons	Imprisonment for three months or fine of £20 or both	Magistrate of the Third Grade
472	Obstructing aircraft	ditto	ditto	Imprisonment for two years or fine or both	ditto
473	Trespass on aerodrome	ditto	ditto	Imprisonment for three months or fine or both	ditto
CHAPTER XXXVI—OFFENCES RELATING TO MINES AND MINERALS					
474	Fraudulently dealing with minerals in mines	Shall not arrest without warrant	Warrant	Imprisonment for three years or fine or both	Magistrate of the First Grade
475	Attempts to injure mines	ditto	ditto	Imprisonment for seven years or fine or both	ditto
CHAPTER XXXVII—DEPORTATION AND PASSPORTS					
477	False statements in application for passports	Shall not arrest without warrant	Warrant	Imprisonment for one year or fine or both	Magistrate of the Third Grade

This printed impression has been carefully compared by me with the Bill which has passed the Federal Legislative Houses and found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 21

1960



Federation of Nigeria

IN THE NINTH 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 SUPPLEMENTARY PROVISION FOR THE SERVICE OF
THE FEDERATION OF NIGERIA FOR THE YEAR ENDED ON THE THIRTY-FIRST
DAY OF MARCH, ONE THOUSAND, NINE HUNDRED AND FIFTY NINE.

Title.

[21st July, 1960]

Commence-
ment.

WHEREAS by the Appropriation (1958-59) Ordinance, 1958 (hereinafter referred to as the Appropriation Ordinance) a sum not exceeding Thirty-Eight Million, Two Hundred and Sixty-Seven Thousand, Four Hundred and Eighty Pounds was provided for the service of the Federation of Nigeria for the year which ended on the 31st day of March, 1959, to be applied and expended in the manner therein described for the services set forth in the Schedule to that Ordinance :

Preamble.
No. 20 of
1958.

No. 35 of
1958.

AND WHEREAS by the Supplementary Appropriation (1958-59) Ordinance, 1958 (hereinafter referred to as the First Supplementary Appropriation Ordinance) a further sum of One Million, Four Hundred and Fifty-Five Thousand, Four Hundred and Thirty Pounds was provided in addition to the sum provided by the Appropriation Ordinance for the services set forth in the Schedule to the First Supplementary Appropriation Ordinance :

No. 59 of
1958.

AND WHEREAS by the Supplementary Appropriation (1958-59) (No. 2) Ordinance, 1958 (hereinafter referred to as the Second Supplementary Appropriation Ordinance, a further sum of Two Hundred and Seventy Thousand, Three Hundred and Twenty Pounds was provided for the services set forth in the Schedule to the Second Supplementary Appropriation Ordinance in addition to the sums provided by the Appropriation Ordinance and the First Supplementary Appropriation Ordinance :

AND WHEREAS certain sums have been applied and expended in the said year for the services set forth in the Schedule hereto beyond the sum provided for those services in the Appropriation Ordinance and in the First and Second Supplementary Appropriation Ordinances :

Enactment.

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

Short title.

1. This Ordinance may be cited as the Supplementary Appropriation (1958-59) (No. 3) Ordinance, 1960.

Additional
expenditure
for 1958-59
legalised.
Schedule.

2. The sums set forth in the Schedule hereto are hereby declared to have been duly and necessarily applied and expended for the services therein set forth and are hereby approved, allowed and granted in addition to the sums provided for such services by the Appropriation (1958-59) Ordinance, 1958, the Supplementary Appropriation (1958-59) Ordinance, 1958, and the Supplementary Appropriation (1958-59) (No. 2) Ordinance, 1958.

SCHEDULE

Heads

	£
34. Ministry of Education	8,591
38. Ministry of Finance	24,398
42. Statistics	5,662
46. Medical	4,491
73. Public Works	31,853
81. Miscellaneous	701,441
82. Contributions to the Development Fund	2,253,428
	<u>£3,029,864</u>

This printed impression has been carefully compared by me with the Bill which has passed the Federal Legislative Houses and found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 22

1960



Federation of Nigeria

IN THE NINTH 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 ADAPTATIONS AND MODIFICATIONS TO CERTAIN ORDINANCES IN THEIR APPLICATION IN THE NORTHERN REGION CONSEQUENT UPON THE ENACTMENT OR IMPENDING ENACTMENT BY THE LEGISLATURE OF THAT REGION OF LAWS RELATING TO A NEW PENAL CODE, A NEW CRIMINAL PROCEDURE CODE AND THE CREATION OF DISTRICT COURTS.

Title.

[By notice, see section 1]

Commence-
ment.

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

Enactment.

1. (1) This Ordinance may be cited as the Adaptation of Federal Provisions (Northern Region) Ordinance, 1960, and shall be of Federal application.

Short title,
application
and
commence-
ment.

(2) This Ordinance shall come into operation on a day to be appointed by the Minister by notice in the Gazette and such notice may appoint different dates for the coming into operation of different items of adaptation or modification specified in the Schedule or may provide that particular items as aforesaid shall come into operation on such later date as may be appointed in a similar manner.

2. The Ordinances mentioned in the Schedule shall, in their application in relation to the Northern Region, be read and construed with the adaptations and modifications specified in the Schedule.

3. Any adaptations or modification of an enactment effected by this Ordinance shall not—

(a) affect the previous operation of the enactment or anything duly done or suffered under the enactment ; or

(b) affect any right acquired or any obligation, liability, penalty, forfeiture or punishment incurred under the enactment ; or

(c) affect any legal proceeding or remedy in respect of any such right, obligation, liability, penalty, forfeiture or punishment as aforesaid ; and, subject to the provisions of Part X of the District Courts Law, 1960, of the Northern Region, any such legal proceeding or remedy may be instituted, continued or enforced as if the adaptation or modification had not been effected.

SCHEDULE

(s. 2)

EVIDENCE ORDINANCE (CHAPTER 63)

Section 227

In the definition of "court" after "High Court" insert—
"a District Court".

INCOME TAX ORDINANCE (CHAPTER 92)

Section 67

In subsection (2)—

(a) delete "magistrate's court" and substitute—
"District Court" ;

(b) delete "magistrate" and substitute—
"District Judge".

LABOUR CODE ORDINANCE (CHAPTER 99)

Section 5

In subsection (2) (h) before "magistrate's court" insert—
"District Court or".

Section 41

In subsection (4) delete "magistrate's court" and substitute—
"District Court".

Section 51

In subsection (4) *delete* "magistrate's court" and *substitute*—
"District Court".

Section 142

Delete "magistrate" and *substitute*—
"District Judge".

Section 235

In subsection (1) *delete* "magistrate's court" and *substitute*—
"District Court".

LOCAL FORCES ORDINANCE (CHAPTER 119)

Section 22

In subsection (2) *delete* "section 398 of the Criminal Procedure Ordinance" and *substitute*—
"section 304 of the Criminal Procedure Code of the Northern Region".

MAINTENANCE ORDERS ORDINANCE (CHAPTER 125)

Section 3

In subsection (2) *delete* "magistrate" and *substitute*—
"District Judge".

Section 6

Delete "magistrate" wherever it occurs and *substitute*—
"District Judge".

Section 7

In subsection (1) *delete* "magistrate" and *substitute*—
"District Judge".

Section 9

Delete "magistrates" and *substitute*—
"District Judges".

MARRIAGE ORDINANCE (CHAPTER 128)

Section 19

In subsection (1) after "justice of the peace," *insert*—
"District Judge".

MINERALS ORDINANCE (CHAPTER 134)

Section 87

Before "magistrate" wherever it occurs *insert*—
"District Judge or".

NOTARIES PUBLIC ORDINANCE (CHAPTER 161)

Section 17

In subsection (1) *delete* "magistrates" and *substitute*—
"District Judges".

POLICE ORDINANCE (CHAPTER 172)

Section 29

In subsection (1) *delete* "section 10 of the Criminal Procedure Ordinance" and *substitute*—

"section 26 of the Criminal Procedure Code of the Northern Region".

Delete subsection (3) and *substitute*—

"(3) For the purposes of this section—

(a) "felony" means an offence punishable under the Penal Code of the Northern Region with death or with imprisonment for three years or more;

(b) "misdemeanour" means an offence punishable under the Penal Code of the Northern Region with imprisonment for less than three years but not less than six months;

(c) "simple offence" means any other offence punishable under the Penal Code of the Northern Region."

ROYAL NIGERIAN MILITARY FORCES ORDINANCE (CHAPTER 200)

Section 100

Delete "Criminal Procedure Ordinance" and *substitute*—

"Criminal Procedure Code of the Northern Region".

TELEGRAPHS ORDINANCE (CHAPTER 213)

Section 10

Delete "magistrate" wherever it occurs and *substitute*—

"District Judge".

WORKMEN'S COMPENSATION ORDINANCE (CHAPTER 234)

Section 3

In the definition of "court" *delete* "magistrate's court" and *substitute*—
"District Court".

Section 20

In subsection (1) *delete* "magistrate's court" and *substitute*—
"District Court".

In subsections (3) and (4) *delete* "magistrate" and *substitute*—
"District Judge".

WRECKS AND SALVAGE ORDINANCE (CHAPTER 235)

Sections 42, 43, 44 and 48

Delete "magistrate" wherever it occurs and *substitute*—
"District Judge".

ELECTRICITY CORPORATION OF NIGERIA ORDINANCE, 1950
(No. 15 of 1950)*Section 48*

In subsection (3) *delete* "magistrate" and *substitute*—
"District Judge".

TOBACCO (LICENCES AND RETURNS) ORDINANCE, 1952
(No. 1 OF 1952)

Section 13

Delete "magistrate's court" and substitute—
"District Court".

PORTS ORDINANCE, 1954 (No. 27 OF 1954)

Section 39

In subsection (2) delete "magistrate" and substitute—
"District Judge".

Section 114

After "Criminal Code" insert—
"and public servants within the meaning of section 10 of the Penal
Code of the Northern Region".

NIGERIAN RAILWAY CORPORATION ORDINANCE, 1955
(No. 20 OF 1955)

Section 32

In subsection (3) delete "magistrate" and substitute—
"District Judge".

Section 95

After "public service" insert—
"and shall be deemed to be public servants within the meaning of
section 10 of the Penal Code of the Northern Region".

OIL PIPELINES ORDINANCE, 1956 (No. 31 OF 1956)

Section 18

Delete "magistrate" wherever it occurs and substitute—
"District Judge".

NIGERIAN BROADCASTING CORPORATION ORDINANCE, 1956
(No. 39 OF 1956)

Section 37

In subsection (2) delete "magistrate" and substitute—
"District Judge".

FIREARMS ORDINANCE, 1958 (No. 7 OF 1958)

Section 31

After "Criminal Procedure Ordinance" insert—
"or the Criminal Procedure Code of the Northern Region".

REGIONAL COURTS (FEDERAL JURISDICTION) ORDINANCE, 1958 (No. 12 OF 1958)

Section 3

Delete "magistrate's court" and substitute—
"District Court".

CIVIL AVIATION (FIRE AND SECURITY MEASURES) ORDINANCE, 1958
(No. 31 OF 1958)

Section 14

In subsection (3) after "Criminal Procedure Ordinance" insert—
"or section 44 of the Criminal Procedure Code of the Northern
Region".

PETROLEUM PROFITS TAX ORDINANCE, 1959 (No. 15 OF 1959)

Section 41

In subsection (2)—

(a) delete "magistrate's court" and substitute—

"District Court";

(b) delete "magistrate" and substitute—

"District Judge".

This printed impression has been carefully compared by me
with the Bill which has passed the Federal Legislative Houses and
found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 23

1960



Federation of Nigeria

IN THE NINTH 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 SUPPLEMENTARY PROVISION FOR THE SERVICE OF THE
FEDERATION OF NIGERIA FOR THE YEAR ENDED ON THE THIRTY-FIRST
DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND FIFTY-EIGHT.

[21st July, 1960]

Title.

Commence-
ment.

Preamble.
No. 6 of 1957.

WHEREAS by the Appropriation (1957-58) Ordinance, 1957 (hereinafter referred to as the Appropriation Ordinance) a sum not exceeding Thirty-Two Million and Eighty-One Thousand, Four Hundred and Ten Pounds was provided for the service of the Federation of Nigeria for the year which ended on the 31st day of March, 1958, to be applied and expended in the manner therein described for the services set forth in the Schedule to that Ordinance :

AND WHEREAS by the Supplementary Appropriation (1957-58) Ordinance, 1957 (hereinafter referred to as the Supplementary Appropriation Ordinance) a further sum of One Million, Three Hundred and Eighty-Eight Thousand, Nine Hundred and Eighty Pounds was provided in addition to the sum provided by the Appropriation Ordinance for the services set forth in the Schedule to the Supplementary Appropriation Ordinance :

No. 33 of
1957.

AND WHEREAS certain sums have been applied and expended in the said year for the services set forth in the Schedule hereto beyond the sums provided for those services in the Appropriation and the Supplementary Appropriation Ordinances :

Enactment.

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

Short title.

1. This Ordinance may be cited as the Supplementary Appropriation (1957-58) (No. 2) Ordinance, 1960.

Additional
expenditure
for 1957-58
legalised.
Schedule.

2. The sums set forth in the Schedule hereto are hereby declared to have been duly and necessarily applied and expended for the services therein set forth and are hereby approved, allowed and granted in addition to the sums provided for such services by the Appropriation (1957-58) Ordinance, 1957, and the Supplementary Appropriation (1957-58) Ordinance, 1957.

SCHEDULE

HEADS

	£
21. The Governor-General	3,416
22. Chief Secretary's Office	4,616
29. Ministry of Communications and Aviation ..	1,637
31. Aviation	7,700
36. Statistics	6,616
41. Co-operatives	4,553
44. Land	56,446
51. Education	13,169
53. Chemistry	1,498
72. Council of Ministers	14,298
79. Nigerianisation Office	2,251
80. Miscellaneous	476,520
81. Pensions and Gratuities	3,258
84. Contributions to the Development Fund	722,302
86. The Prime Minister	15,782
88. Ministry of Health	13,297
	<u>£1,346,359</u>

This printed impression has been carefully compared by me with the Bill which has passed the Federal Legislative Houses and found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 24

1960



Federation of Nigeria

IN THE NINTH 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 SUPPLEMENTARY PROVISION FOR THE SERVICE OF THE FEDERATION OF NIGERIA FOR THE YEAR ENDING ON THE THIRTY-FIRST DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND SIXTY ADDITIONALLY TO THAT MADE BY THE APPROPRIATION (1959-60) ORDINANCE, 1959, THE SUPPLEMENTARY APPROPRIATION (1959-60) ORDINANCE, 1959, AND THE SUPPLEMENTARY APPROPRIATION (1959-60) (No. 2) ORDINANCE, 1960.

Title

[21st July, 1960]

Commence-
ment.

WHEREAS by the Appropriation (1959-60) Ordinance, 1959 (hereinafter referred to as the Appropriation Ordinance) a sum of Thirty-Seven Million, Six Hundred and Forty-Seven Thousand, One Hundred and Sixty Pounds was

Preamble.
No. 14 of
1959.

provided for the service of the Federation of Nigeria for the year ending on the 31st day of March, 1960, to be applied and expended in the manner therein described and for the services set forth in the Schedule to that Ordinance :

No. 17 of
1959.

AND WHEREAS by the Supplementary Appropriation (1959-60) Ordinance, 1959 (hereinafter referred to as the First Supplementary Appropriation Ordinance) a further sum of Three Million, One Hundred and Seventy-Four Thousand, Seven Hundred and Fifty Pounds was provided in addition to the sum provided by the Appropriation Ordinance for the services set forth in the First Schedule to the First Supplementary Appropriation Ordinance :

No. 1 of
1960.

AND WHEREAS by the Supplementary Appropriation (1959-60) (No. 2) Ordinance, 1960, (hereinafter referred to as the Second Supplementary Appropriation Ordinance) a further sum of One Million, Two Hundred and Thirty Thousand, Nine Hundred and Thirty Pounds was provided in addition to the sums provided by the Appropriation Ordinance and the First Supplementary Appropriation Ordinance for the services set forth in the First Schedule to the Second Supplementary Appropriation Ordinance :

AND WHEREAS certain sums have been applied and expended in the said year for the services set forth in the First Schedule hereto beyond the sums provided for those services in the Appropriation and the First and Second Supplementary Appropriation Ordinances :

Enactment.

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

Short title.

1. This Ordinance may be cited as the Supplementary Appropriation (1959-60) (No. 3) Ordinance, 1960.

Additional
expenditure
for 1959-60
legalised.
First
Schedule.

2. The sum set forth in the First Schedule hereto is hereby declared to have been duly and necessarily applied and expended for the services therein set forth and is hereby approved, allowed and granted in addition to the sums provided for such services by the Appropriation Ordinance, the First Supplementary Appropriation Ordinance, and the Second Supplementary Appropriation Ordinance.

Appropriation of
£904,600
out of the
Consolidated Revenue
Fund into the Contingencies
Fund.
Second
Schedule.

3. The Accountant-General of the Federation may, on the warrant of the Governor-General or Minister of Finance, pay out of the Consolidated Revenue Fund of the Federation of Nigeria the sum of Nine Hundred and Four Thousand, Six Hundred Pounds being the total of the sums withdrawn, as set forth in the Second Schedule hereto, from the Contingencies Fund and not already made good by previous appropriations from the Consolidated Revenue Fund, and the said sum of Nine Hundred and Four Thousand, Six Hundred Pounds shall be appropriated to the Contingencies Fund.

FIRST SCHEDULE

(Section 2)

Head

33. Ministry of Finance £ 83,000

SECOND SCHEDULE

(Section 3)

					£
28. Nigerianisation Office .. .. .	..	..	..	..	600
33. Ministry of Finance .. .. .	..	..	..	..	850,000
39. Ministry of Health .. .. .	..	..	..	..	37,000
52. Inland Waterways .. .. .	..	..	..	..	17,000
					<u>£904,600</u>

This printed impression has been carefully compared by me with the Bill which has passed the Federal Legislative Houses and found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments

**PENAL CODE (NORTHERN REGION) FEDERAL
PROVISIONS ORDINANCE, 1960**

ARRANGEMENT OF SECTIONS

1. Short title, commencement and application.
2. Application of provisions of Schedule as Law of Northern Region.
3. Punishment of offences in Schedule committed in Northern Region.
4. Circumstances in which provisions of Schedule apply.
5. Repeal of Cap. 42 in Northern Region and amendment in other application.

SCHEDULE

ARRANGEMENT OF SECTIONS

CHAPTER XXVI : OFFENCES AGAINST THE STATE

410. Treason.
411. Punishment for treason.
412. Treasonable crimes.
413. Inciting to mutiny.
414. Causing disaffection among soldiers, police or prison officers.
415. Assisting or allowing escape of prisoners of war.

CHAPTER XXVII : SEDITION

416. Inciting disaffection to the Government.
417. Exciting hatred between classes.
418. Publication of false news with intent to cause offence against the public peace.
419. Possession of seditious articles.
420. Power to prohibit importation of publications.
421. Punishment for importation of prohibited publications.
422. Unlawful drilling.

CHAPTER XXVIII : CUSTOMS OFFENCES

423. Smuggling or rescuing goods under arms.
424. Smuggling under arms or in disguise.
425. Assembling for the purpose of smuggling.

CHAPTER XXIX : OFFENCES RELATING TO COPYRIGHT

426. Making or dealing in copies of copyright work.
427. Being in possession of plate for making copies : giving unauthorized performances of copyright work.

CHAPTER XXX : OFFENCES RELATING TO SHIPS AND WHARVES

- 428. Definitions.
- 429. Offences relating to ships.
- 430. Entering ship or wharf without ticket.
- 431. Interfering with navigation works.

CHAPTER XXXI : OFFENCES RELATING TO COIN AND NOTES

- 432. Coin and note defined.
- 433. Counterfeiting coin or notes.
- 434. Making or selling instrument for counterfeiting coin or notes.
- 435. Possession of instrument or material for counterfeiting.
- 436. Import or export of counterfeit coin or notes.
- 437. Fraudulently diminishing weight or altering composition of coin.
- 438. Delivery of coin or note possessed with knowledge that it is counterfeit.
- 439. Possession of coin or note by person who knew it to be counterfeit when he became possessed thereof.

CHAPTER XXXII : OFFENCES RELATING TO REVENUE STAMPS

- 440. Revenue stamp defined.
- 441. Counterfeiting revenue stamp.
- 442. Having possession of instrument or material for counterfeiting revenue stamp.
- 443. Making or selling instrument for counterfeiting revenue stamp.
- 444. Import, export, use or sale of counterfeit revenue stamps.
- 445. Having possession of counterfeit revenue stamp.
- 446. Effacing writing from substance bearing revenue stamp, or removing from document a stamp used for it, with intent to cause loss.
- 447. Using revenue stamp known to have been used before.
- 448. Erasure of mark denoting that revenue stamp has been used.

CHAPTER XXXIII : OFFENCES RELATING TO WEIGHTS AND MEASURES

- 449. Fraudulent use of false instrument for weighing.
- 450. Fraudulent use of false weight or measure.
- 451. Being in possession of false weight or measure.
- 452. Making or selling false weight or measure.

CHAPTER XXXIV : OFFENCES RELATING TO POSTS AND TELEGRAPHS

- 453. Definitions.
- 454. Paper and dies for postage stamps.
- 455. Paper for postal purposes.
- 456. Stopping mails.
- 457. Intercepting telegrams or postal matter.
- 458. Misdelivery of postal matter.
- 459. Retarding delivery of postal matter.
- 460. Fraudulently removing stamps.
- 461. Fraudulent evasion of postal laws.

- 462. Unlawful franking of letters.
- 463. Sending dangerous or obscene things by post.
- 464. Illegally setting up of post office.
- 465. Damaging post office, etc.
- 466. Placing injurious substances in or against letter box.
- 467. Interference with telegraphs.
- 468. Negligently injuring telegraphs.

CHAPTER XXXV : OFFENCES RELATING TO RAILWAYS AND AIRCRAFT

- 469. Intentionally endangering safety of persons travelling by railway.
- 470. Obstructing and injuring railways.
- 471. Damage to railway works.
- 472. Obstructing aircraft.
- 473. Trespass on aerodrome.

CHAPTER XXXVI : OFFENCES RELATING TO MINES AND MINERALS

- 474. Fraudulently dealing with minerals in mines.
- 475. Attempt to injure mines.

CHAPTER XXXVII : DEPORTATION AND PASSPORTS

- 476. Deportation of non-natives of Nigeria.
- 477. False statements in application for passports.

J. W. ROBERTSON,
Governor-General

(L.S.)

No. 25

1960



Federation of Nigeria

IN THE NINTH 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 SUPPLEMENT THE PENAL CODE OF THE NORTHERN REGION
IN RESPECT OF MATTERS WITHIN THE EXCLUSIVE LEGISLATIVE COMPETENCE
OF THE LEGISLATURE OF THE FEDERATION, AND FOR PURPOSES ANCILLARY
THERE TO.

Title.

[By Notice, see section 1]

Commence-
ment.

WHEREAS by the provision of a Law entitled the Penal Code Law, 1959
of the Northern Region of Nigeria a Penal Code is upon the coming into
operation of that Law to be established for that Region :

Preamble.

AND WHEREAS certain matters which are outside the legislative competence of the Northern Region but are within the exclusive legislative competence of the Federation were not provided for in the said Penal Code:

AND WHEREAS it is necessary and expedient that such matters should be provided for by Federal legislation and that the provisions of such legislation should take effect with the Penal Code so that the whole may conveniently be read as one Code in the Northern Region, in replacement for that contained in the Criminal Code Ordinance of the Federation:

Enactment.

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

Short title,
commence-
ment and
application.

1. (1) This Ordinance may be cited as the Penal Code (Northern Region) Federal Provisions Ordinance, 1960, and shall come into operation on a day to be appointed by the Governor-General by notice in the Gazette.

(2) This Ordinance shall be of Federal application.

Application
of
provisions of
Schedule as
Law of
Northern
Region.
N.R. Law
18 of 1959.

2. (1) The provisions contained in the Schedule to this Ordinance shall apply in respect of the Northern Region and shall be read as the law of that Region and as such form part of the Penal Code contained in the Schedule to the Penal Code Law, 1959, of the Northern Region (hereinafter referred to as the Penal Code of the Northern Region).

(2) The provisions of Chapter I to Chapter VI of the Penal Code of the Northern Region shall apply in respect of the provisions of the Schedule to this Ordinance as fully as though the provisions of such Chapters were enacted in this Ordinance.

Punishment
of offences in
Schedule
committed
in Northern
Region.

3. Every person shall be liable to punishment under the provisions of section 2 of this Ordinance and of the Schedule to this Ordinance for every act or omission contrary to the provisions of the Schedule to this Ordinance of which he is guilty within the Northern Region:

Provided that a sentence of caning shall not be passed in accordance with section 77 of the Penal Code of the Northern Region save in a case where a sentence of whipping could have been passed in accordance with section 18 of the Criminal Code or section 387 of the Criminal Procedure Ordinance.

Caps. 42
and 43.

Circum-
stances in
which
provisions of
Schedule
apply.

4. (1) Where by the provisions contained in the Schedule to this Ordinance, the doing of any act or the making of any omission is made an offence, those provisions shall apply to every person who is in the Region at the time of his doing the act or making the omission.

(2) Where any such offence comprises several elements and any acts, omissions or events occur which, if they all occurred in the Northern Region, would constitute an offence, and any of such acts, omissions or events occur in the Northern Region, although the other acts, omissions or events, which if they occurred in the Northern Region would be elements of the offence, occur elsewhere than in the Northern Region then—

(a) if the act or omission, which in the case of an offence committed wholly in the Northern Region would be the initial element of the offence, occurs in the Northern Region, the person who does that act or makes that omission is guilty of an offence of the same kind and is liable to the same punishment as if all the subsequent elements of the offence occurred in the Northern Region; and

(b) if that act or omission occurs elsewhere than in the Northern Region, and the person who does that act or makes that omission afterwards enters the Northern Region, he is by such entry guilty of an offence of

the same kind and is liable to the same punishment, as if that act or omission had occurred in the Northern Region and he had been in the Northern Region when it occurred.

(3) Notwithstanding the provisions of subsection (2) it shall be a defence to the charge in any such case to prove that the person accused did not intend that the act or omission should have effect in the Northern Region.

(4) The provisions of subsection (2) do not extend to a case in which the only material event that occurs in the Northern Region is the death of a person whose death is caused by an act or omission at a place outside, and at a time when that person was outside, the Northern Region.

5. (1) The Criminal Code Ordinance, in so far as it has effect as if it were a law enacted by the Legislature of the Federation and as it applies in the Northern Region, is repealed :

Repeal of
Cap. 42 in
Northern
Region and
amendment
in other
application.

Provided that such repeal shall not, in respect of proceedings taken outside the Northern Region, affect the operation of the Criminal Code solely because some element or elements of the offence are alleged to have occurred within the Northern Region.

(2) The Criminal Code Ordinance is amended by the addition after section 1 of the following new section—

"Saving in respect of Northern Region. 1A. The provisions of this Ordinance shall take effect subject to the provisions of the Penal Code (Northern Region) Federal Provisions Ordinance, 1960."

SCHEDULE

(section 2)

CHAPTER XXVI.—OFFENCES AGAINST THE STATE

*410. (1) Whoever levies war against the Sovereign, in order to intimidate or overawe the Governor-General is said to commit treason.

Treason.

(2) Nothing in this section shall prevent any act from being treason which is so by the law of England as in force in Nigeria.

411. Whoever commits treason shall be punished with death, and whoever attempts or abets treason shall be punished with imprisonment for life or for any less term or with fine or with both.

Punishment
for treason.

412. (1) Whoever intends—

Treasonable
crimes.

(a) to depose the Sovereign from the style, honour, and royal name of the Imperial Crown of the United Kingdom of Great Britain and Northern Ireland, or of any other of Her Majesty's dominions, or from her style, honour, and name of Supreme Lord in and over Nigeria, or in and over any other country which has been declared to be under her protection ; or

(b) to levy war against the Sovereign within any part of Her Majesty's dominions, or within any country which has been declared to be under her protection, in order by force or constraint to compel the Sovereign to change her measures or counsels, or in order to put any force or constraint upon, or in order to intimidate or overawe any House of Parliament or other legislature or legislative authority of any of Her Majesty's dominions, or of any country which has been declared to be under her protection ; or

* NOTE : The numbering is consecutive with that of the Penal Code of the Northern Region.

(c) to instigate any foreigner to make an armed invasion of any of Her Majesty's dominions, or of any country which has been declared to be under her protection,

and manifests such intention by an overt act, shall be punished with imprisonment for life or any less term and shall also be liable to fine.

(2) A person charged with any of the offences specified in this section is not entitled to be acquitted on the ground that any act proved to have been committed by him constitutes the offence of treason; but a person who has been tried, and convicted or acquitted, on a charge of any such offence cannot be afterwards prosecuted for treason in respect of the same facts.

Inciting to
munity.

413. Whoever—

(a) seduces any person serving in Her Majesty's forces or the military forces of Nigeria or any member of the police force from his duty and allegiance to Her Majesty; or

(b) incites any such persons to commit an act of mutiny,

shall be punished with imprisonment for life or for any less term and also be liable to fine.

414. (1) Whoever causes or does any act calculated to cause disaffection amongst persons serving as—

(a) members of Her Majesty's forces or the military forces of Nigeria; or

(b) police officers; or

(c) prison officers,

or does any act calculated to induce any person serving as aforesaid to withhold his services or to commit breaches of discipline, shall be punished with imprisonment which may extend to three years or with fine which may extend to three hundred pounds or with both.

(2) For the purposes of this section the expression "prison officer" shall have the same meaning as in subsection (1) of section 9 of the Prisons Ordinance and includes native authority prison staff as defined in section 127 of the Native Authority Law, 1954, of the Northern Region.

415. Whoever intentionally aids an enemy of Her Majesty, being a prisoner of war in Nigeria, whether such prisoner is confined in a prison or elsewhere, or is suffered to be at large on his parole, to escape from his prison or place of confinement, or if he is at large on his parole, to escape from Nigeria, shall be punished with imprisonment for life or for any less term and shall also be liable to fine, and whoever negligently or unlawfully permits the escape of any such prisoner shall be punished with imprisonment which may extend to two years or with fine or with both.

CHAPTER XXVII.—SEDITION

416. Whoever by words, either spoken or reproduced by mechanical means or intended to be read, or by signs or by visible representation or otherwise excites or attempts to excite feelings of disaffection against the person of Her Majesty, her heirs or successors or the person of the Governor-General or the Governor of a Region, or the Government or constitution of

Causing dis-
affection
among
soldiers,
police or
prison
officers.

Cap. 177.

N.R. 4 of
1954.

Assisting or
allowing
escape of
prisoners of
war.

Inciting dis-
affection to
the Govern-
ment.

the United Kingdom or of Nigeria or any Region thereof or against the administration of justice in Nigeria or any Region thereof, shall be punished with imprisonment for a term which may extend to seven years or with fine or with both.

EXPLANATION 1.—The expression “disaffection” includes disloyalty and all feelings of enmity.

EXPLANATION 2.—Comments expressing disapprobation of the measures of the Government or the Government of the United Kingdom or any Government of Nigeria with a view to obtaining their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

EXPLANATION 3.—Comments expressing disapprobation of the administrative or other action of the Government or the Government of the United Kingdom or any Government of Nigeria without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.

417. Whoever seeks to excite hatred or contempt against any class of persons in such a way as to endanger the public peace, shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

Exciting
hatred
between
classes.

418. Whoever circulates, publishes or reproduces any statement, rumour or report which he knows or has reason to believe to be false with intent to cause or which is likely to cause fear or alarm to the public whereby any person may be induced to commit an offence against the public peace, shall be punished with imprisonment which may extend to three years or with fine or with both.

Publication
of false news
with intent to
cause
offence
against the
public peace.

419. Whoever has in his possession without lawful excuse, the proof of which shall lie on him, any book, pamphlet, paper, gramophone record, tape recording, drawing, printing, photograph, cinema film or other visible or audible representation or reproduction, the publication or exhibition of which would constitute an offence under section 416, 417 or 418, shall be punished with imprisonment for a term which may extend to two years or with fine or with both.

Possession of
seditious
articles.

420. (1) The Minister charged with responsibility for such matters may, if he is of opinion that the importation of any publication would be contrary to the public interest, by order prohibit the importation of such publication.

Power to
prohibit
importation
of publica-
tions.

(2) If such Minister is of opinion that it would be in the public interest to do so he may by order prohibit the importation of all publications published by or on behalf of any organisation or association of persons specified in the order.

(3) An order made under the provisions of subsection (1) shall, unless a contrary intention is expressed therein, have effect—

- (a) with respect to all subsequent issues of such publication; and
- (b) not only with respect to any publication under the name specified in relation thereto in the order, but also with respect to any publication published under any other name if the publishing thereof is in any respect in continuation of, or in substitution for, the publishing of the publication named in the order.

(4) An order made under the provisions of subsection (2) shall, unless a contrary intention is expressed therein, have effect not only with respect to all publications published by or on behalf of the organisation or association of persons named therein before the date of the order but also with respect to all publications so published on or after such date.

(5) An order made under the provisions of subsection (1) or (2) shall, unless a contrary intention is expressed therein, apply to any translation into any language whatsoever of the publication specified in the order.

Punishment
for importa-
tion of
prohibited
publications.

421. Whoever intentionally imports, publishes, sells, distributes or reproduces or has in his possession any publication the importation of which has been prohibited under section 420 or any extract therefrom, shall be punished with imprisonment which may extend to three years or with fine or with both.

Unlawful
drilling.

422. Whoever, without the permission of the Governor-General, instigates, practises, takes part in or is concerned in any exercise, movement, evolution or drill of a military nature shall be punished with imprisonment which may extend to seven years or with fine or with both.

CHAPTER XXVIII.—CUSTOMS OFFENCES

Smuggling
or rescuing
goods under
arms.

423. Whoever assembles with two or more persons armed with any dangerous weapon for any of the following purposes—

(a) to unlawfully ship, unship, load, move or carry away any goods the importation of which is prohibited, or any goods liable to customs duties, which duties have not been paid or secured ;

(b) to rescue or take any such goods from any person authorized to seize them, or from any person employed by that person, or assisting that person,

shall be punished with imprisonment which may extend to seven years or with fine or with both.

Smuggling
under arms
or in disguise.

424. Whoever assembles with five or more persons who have with them any goods liable to forfeiture under any law relating to the customs, and who are carrying dangerous weapons, or who are disguised shall be punished with imprisonment which may extend to seven years or with fine or with both.

Assembling
for the
purpose of
smuggling.

425. Whoever assembles with two or more persons for the purpose of unshipping, carrying, or concealing any goods subject to customs duty and liable to forfeiture under any law relating to the customs shall be punished with imprisonment which may extend to six months or with fine which may extend to one hundred pounds.

CHAPTER XXIX.—OFFENCES RELATING TO COPYRIGHT

Making or
dealing in
copies of
copyright
work.

426. Whoever intentionally—

(a) makes for sale or hire any copy of a work which infringes a copyright ;
or

(b) sells or lets for hire any copy of any such work ; or

(c) distributes copies of any such work for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright ; or

(d) by way of trade exhibits in public any copy of any such work, shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to fifty pounds or with both.

427. Whoever intentionally makes or possesses any plate for the purpose of making copies of any work which infringes a copyright, or intentionally and for profit causes any such work to be performed in public without the consent of the owner of the copyright shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to fifty pounds or with both.

Being in possession of plate for making copies : giving unauthorized performances of copyright work.

CHAPTER XXX.—OFFENCES RELATING TO SHIPS AND WHARVES

428. In this chapter—

Definitions.

“crew” includes masters, mates, pilots, engineers, stokers, deckhands and all persons engaged in the navigation or service of a ship ;

“passenger steamer” means every steamship carrying one or more persons other than the crew, and the owner, his family, friends and servants ;

“ship” includes every description of vessel in the service of the Government or the Government of the Federation and every passenger steamer employed in local navigation on the inland and territorial waters of Nigeria, but does not include ocean going ships not in the service of the Government or the Government of the Federation or vessels or canoes of native manufacture.

429. (1) Whoever—

Offences relating to ships.

(a) obstructs any member of the crew in the navigation or management of a ship ;

(b) after having been refused admission to a ship by any authorized member of the crew on account of the ship being full, attempts to enter the ship ;

(c) having gone on board the ship at any place and being requested, on account of the ship being full, by any duly authorized member of the crew to leave the ship, before it has quitted that place, does not comply with that request ;

(d) travels in a ship without first paying his fare and with intent to avoid payment ;

(e) being on board a ship fails when requested by an authorized member of the crew to pay his fare or exhibit the ticket or other receipt, if any, showing the payment of his fare ;

(f) travels in that part of a ship which is set apart for passengers of a superior class to that for which he holds a ticket ;

(g) travels in any ship or part of a ship which is not set apart for public passengers and on being ordered by any authorized member of the crew to leave such place refuses so to do,

shall be punished with a fine which may extend to five pounds.

(2) Whoever commits an offence under subsection (1) and on the application of the officer in charge of the ship, refuses to give his name and address, or gives a false name or address, shall be punished with a fine which may extend to twenty pounds.

Entering
ship or
wharf
without
ticket.

430. Whoever not being a passenger by a ship or not having purchased a ticket to travel by a ship enters upon any enclosed quay, wharf, or landing place and on being ordered to leave such quay, wharf, or landing place by any public servant acting in the course of his duty refuses to do so shall be punished with imprisonment which may extend to one month or with fine or with both.

Interfering
with naviga-
tion works.

431. Whoever intentionally and unlawfully—

(a) removes or disturbs any fixed objects or materials used for securing a bank or wall of a river, canal, aquaduct, reservoir or inland water, or for securing any work which appertains to a dock, canal, aquaduct, reservoir or inland water, or which is used for purposes of navigation or lading or unlading goods; or

(b) does any act which obstructs the carrying on or maintenance of the navigation of a navigable river or canal,

shall be punished with imprisonment which may extend to seven years or with fine or with both.

CHAPTER XXXI.—OFFENCES RELATING TO COIN AND NOTES

Coin and
note
defined.

432. (1) Coin is metal used for the time being as money and stamped and issued by or under the authority of any government in order to be so used.

(2) For the purposes of this chapter the word "note" includes every currency note issued by or under the authority of any government and intended to be used as equivalent to or as a substitute for money and bank note which is legally current in any country.

Counterfeit-
ing coin or
notes.

433. Whoever counterfeits or knowingly performs any part of the process of counterfeiting any coin or note shall be punished with imprisonment for life or any less term and shall also be liable to fine.

EXPLANATION—A person commits this offence who, intending to practise deception or knowing it to be likely that deception will thereby be practised, causes a genuine coin or note to appear like a different coin or note.

Making or
selling
instrument
for counter-
feiting coin
or notes.

434. Whoever makes or mends or performs any part of the process of making or mending or buys, sells or disposes of any die or instrument for the purpose of being used or knowing or having reason to believe that it is intended to be used for the purpose of counterfeiting coin or notes shall be punished with imprisonment for life or for any less term and shall also be liable to fine.

Possession
of instru-
ment or
material for
counter-
feiting.

435. Whoever is in possession of any instrument or material for the purpose of using the same for counterfeiting coin or notes or knowing or having reason to believe that the same is intended to be used for that purpose shall be punished with imprisonment which may extend to fourteen years or with fine or with both.

436. Whoever imports into Nigeria or exports therefrom any counterfeit coin or note knowing or having reason to believe that the same is counterfeit, shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to fine.

Import or export of counterfeit coin or notes.

437. Whoever fraudulently or dishonestly performs on any coin any operation which diminishes the weight or alters the composition of that coin, shall be punished with imprisonment for a term which may extend to ten years and shall also be liable to fine.

Fraudulently diminishing weight or altering composition of coin.

EXPLANATION—A person who scoops out part of a coin and puts anything else into the cavity alters the composition of that coin.

438. Whoever, having in his possession any counterfeit coin or note or any coin with respect to which an offence under section 437 has been committed and having known at the time when he became possessed of such coin or note that such coin or note was counterfeit or that such offence had been committed with respect to such coin, fraudulently or with intent that fraud may be committed delivers such coin or note to any other person or attempts to induce any other person to receive the same, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

Delivery of coin or note possessed with knowledge that it is counterfeit.

439. Whoever fraudulently or with intent that fraud may be committed is in possession of any counterfeit coin or note or of any coin with respect to which an offence under section 437 has been committed having known at the time of becoming possessed thereof that such coin or note was counterfeit or that such offence had been committed with respect to such coin, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

Possession of coin or note by person who knew it to be counterfeit when he became possessed thereof.

CHAPTER XXXII.—OFFENCES RELATING TO REVENUE STAMPS

440. For the purposes of this chapter the words "revenue stamp" mean a stamp issued by or under the authority of any government for postal or other revenue purposes.

Revenue stamp defined.

441. Whoever counterfeits or knowingly performs any part of the process of counterfeiting any revenue stamp, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

Counterfeiting revenue stamp.

EXPLANATION—A person commits this offence who counterfeits by causing a genuine revenue stamp of one denomination to appear like a genuine revenue stamp of a different denomination.

442. Whoever has in his possession any instrument or material for the purpose of being used or knowing or having reason to believe that it is intended to be used for the purpose of counterfeiting any revenue stamp, shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to fine.

Having possession of instrument or material for counterfeiting revenue stamp.

Making or selling instrument for counterfeiting revenue stamp.

Import, export, use or sale of counterfeit revenue stamps.

Having possession of counterfeit revenue stamp.

Effacing writing from substance bearing revenue stamp, or removing from document a stamp used for it, with intent to cause loss.

Using revenue stamp known to have been used before.

Erasure of mark denoting that revenue stamp has been used.

Fraudulent use of false instrument for weighing.

Fraudulent use of false weight or measure.

Being in possession of false weight or measure.

443. Whoever makes or performs any part of the process of making or buys or sells or disposes of any instrument for the purpose of being used or knowing or having reason to believe that it is intended to be used for the purpose of counterfeiting any revenue stamp, shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to fine.

444. Whoever imports into Nigeria or exports therefrom or uses as genuine or sells or offers for sale any stamp which he knows or has reason to believe to be a counterfeit of any revenue stamp, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

445. Whoever has in his possession any stamp which he knows to be a counterfeit of any revenue stamp intending to use or dispose of the same as a genuine revenue stamp or in order that it may be used as a genuine revenue stamp, shall be punished with imprisonment for a term which may extend to seven years and shall also be liable to fine.

446. Whoever fraudulently or with intent to cause loss to any government removes or effaces from any substance bearing any revenue stamp any writing or document for which such revenue stamp has been used or removes from any writing or document a revenue stamp which has been used for such writing or document in order that such revenue stamp may be used for a different writing or document, shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

447. Whoever fraudulently or with intent to cause loss to any government uses for any purpose any revenue stamp which he knows to have been used before, shall be punished with imprisonment for a term which may extend to two years or with fine or with both.

448. Whoever fraudulently or with intent to cause loss to any government erases or removes from any revenue stamp any mark put or impressed upon such revenue stamp for the purpose of denoting that the same has been used or knowingly has in his possession or sells or disposes of any such revenue stamp which he knows to have been used, shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

CHAPTER XXXIII.—OFFENCES RELATING TO WEIGHTS AND MEASURES

449. Whoever fraudulently uses any instrument for weighing which he knows to be false, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

450. Whoever fraudulently uses any false weight or false measure of length or capacity or fraudulently uses any weight or any measure of length or capacity as a different weight or measure from what it is, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

451. Whoever is in possession of any instrument for weighing or of any weight or of any measure of length or capacity which he knows to be false and intending that the same may be fraudulently used, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

452. Whoever makes, sells or disposes of any instrument for weighing or any weight or any measure of length or capacity which he knows to be false in order that the same may be used as true or knowing that the same is likely to be used as true, shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

Making or selling false weight or measure.

CHAPTER XXXIV.—OFFENCES RELATING TO POSTS AND TELEGRAPHS

453. In this chapter—

Definitions.

“mail” includes any conveyance of any kind by which postal matter is carried, and also any vessel employed by or under the Posts and Telegraphs Department, or the postal authority of any other country, or the Admiralty, for the conveyance of postal matter, under contract or not, and also a ship of war or other vessel in the service of Her Majesty in respect of letters conveyed by it and also a person or animal used for the conveyance or delivery of postal matter;

“postal matter” includes any letter, telegram, newspaper, packet, parcel, or other thing, authorized by law to be transmitted by post, which has been posted or received at a post office for delivery or transmission by post, and which is in course of transmission by post, and any movable receptacle which contains any such thing, and which is in course of transmission by post;

“post office” and “telegraph office” respectively, include any structure, room, place or receptacle, of any kind appointed by authority of the Director of Posts and Telegraphs for the receipt, despatch or delivery, of any postal matter or telegram, or for the transaction of the business of the department relating to posts and telegraphs; and “telegraph office” includes any room or place used by a telegraph company for the receipt, despatch or delivery of telegrams.

454. Whoever without lawful authority, the proof of which lies on him—

(a) makes, or begins or prepares to make, or uses for any postal purpose, or has in his possession or disposes of any imitation or representation on paper or any other material, of any stamp used for denoting any rate of postage of Nigeria, or of any other country; or

(b) makes or mends, or begins or prepares to make or mend, or uses, or has in his possession or disposes of, any die, plate, instrument or material, for making any such imitation or representation,

Paper and dies for postage stamps.

shall be punished with imprisonment which may extend to one year or with fine which may extend to fifty pounds or with both.

EXPLANATION—A stamp purporting to denote a rate of postage of any country is to be taken to be a stamp used for postal purposes in that country until the contrary is shown.

455. Whoever without lawful authority, the proof of which lies on him, knowingly has in his possession or disposes of any paper which has been specially provided by the proper authority for the purpose of being used for postage stamps, money orders, or postal orders, before such paper has been lawfully issued for public use, shall be punished with imprisonment which may extend to two years or with fine or with both.

Paper for postal purposes.

456. Whoever stops a mail with intent to carry out an unlawful search or to commit theft of postal matter shall be punished with imprisonment for life or any less term or with fine or with both.

Stopping mails.

Intercepting
telegrams or
postal
matter.

457. Whoever unlawfully secretes, destroys, tampers with or obtains by cheating any postal matter shall be punished—

- (a) with imprisonment for a term which may extend to seven years or with fine or with both; and
- (b) if the postal matter so secreted or destroyed shall contain any money or chattel or any valuable security, shall be punished with imprisonment for life or any less term and shall also be liable to fine.

Misdelivery
of postal
matter.

458. Whoever being a public servant charged by virtue of his employment with the delivery of any postal matter intentionally delivers it to a person other than the person to whom it is addressed or to his authorized agent shall be punished with imprisonment for a term which may extend to three years or with fine or with both.

Retarding
delivery of
postal
matter.

459. Whoever being a public servant charged with the handling of postal matter—

- (a) neglects or refuses to receive, despatch, deliver or convey postal matter;
- (b) intentionally detains or delays any postal matter;
- (c) without proper authority allows any postal matter out of his possession;
- (d) is guilty of any neglect whereby any postal matter is endangered, mislaid, detained or delayed,

shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

EXPLANATION 1.—Nothing in this section shall extend to the opening or detaining of any postal matter returned because the addressee is dead or cannot be found or refuses to accept delivery or refuses or neglects to pay any charges payable in respect of the postal matter.

EXPLANATION 2.—Nothing in this section shall extend to the opening, detaining or delaying of any postal matter by a public servant under the authority of any Ordinance or Law or in obedience to an express warrant in writing under the hand of the Governor-General.

Fraudu-
lently
removing
stamps.

460. Whoever with intent to defraud removes from any postal matter any stamp affixed thereon or removes from a stamp previously used any postal mark or knowingly uses a postage stamp which has been marked by a public servant authorized so to do shall be punished with imprisonment which may extend to one year or with fine or with both.

Fraudulent
evasion of
postal laws.

461. Whoever with fraudulent intent—

- (a) subscribes on the outside of anything sent by post a false statement of its contents; or
- (b) puts into a post office anything which falsely purports to be a thing falling within any exemption or privilege declared by the laws relating to postal matter,

shall be punished with a fine which may extend to fifty pounds.

Unlawful
franking of
letters.

462. Whoever being a public servant franks any postal matter—

- (a) which does not relate to the business of his office; or
- (b) which contains anything which does not relate to such business,

shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

463. Whoever intentionally sends by post anything which—

(a) encloses anything of such a nature as to be likely to cause injury to any person or thing in the course of conveyance ; or

(b) encloses any obscene book, pamphlet, paper, gramophone record or similar article, drawing, painting, representation or figure,

shall be punished with imprisonment which may extend to one year or with fine or with both.

Sending dangerous or obscene things by post.

464. Whoever without the authority in writing of the Director of Posts and Telegraphs places or maintains or permits to be placed or maintained, or to remain on any place under his control—

(a) the words "post office" or "royal mail" ; or

(b) the words "letter box", accompanied with words, letters or marks which signify or imply, or may reasonably lead the public to believe, that it is a receptacle provided by authority for the reception of postal matter ; or

(c) any words, letters or marks which signify or imply, or may reasonably lead the public to believe, that any place is a post office, or that any such receptacle is provided by authority,

shall be punished with a fine which may extend to five pounds.

Illegally setting up of post office.

465. Whoever intentionally destroys, damages or defaces, any post office, receptacle provided by authority for the reception of postal matter, or any card or notice relating to the postal or telegraph service set up by authority of the Director of Posts and Telegraphs, shall be punished with a fine which may extend to fifty pounds.

Damaging post office, etc.

466. Whoever places in or against any receptacle provided by authority for the reception of postal matter or telegrams, any fire or match, or any explosive, dangerous, noxious or deleterious substance, or any fluid or filth shall be punished with a fine which may extend to twenty pounds.

Placing injurious substances in or against letter box.

467. Whoever intentionally and unlawfully—

(a) destroys, damages or removes, any telegraph works ; or

(b) prevents or obstructs the sending or delivering of a communication by any telegraph,

shall be punished with imprisonment which may extend to three years or with fine or with both.

Interference with telegraphs.

468. Whoever negligently destroys or damages any telegraph works shall be punished with a fine which may extend to two pounds.

Negligently injuring telegraphs.

CHAPTER XXXV.—OFFENCES RELATING TO RAILWAYS AND AIRCRAFT

469. Whoever with intent to injure or to endanger the safety of any person travelling by any railway—

(a) places anything on the railway ; or

(b) deals with the railway, or with anything whatever upon or near the railway, in such a manner as to affect or endanger the safety of any such person ; or

Intentionally endangering safety of persons travelling by railway.

(c) shows any light or signal, or in any way deals with any existing light or signal, upon or near the railway ; or

(d) by any omission to do any act which it is his duty to do causes the safety of any such person to be endangered,

shall be punished with imprisonment for life, or for any less term and shall also be liable to fine.

Obstructing
and injuring
railways.

470. Whoever unlawfully and with intent to obstruct the use of a railway or to injure any property upon a railway—

(a) deals with the railway or with anything whatever upon or near the railway in such a manner as to affect or endanger the free and safe use of the railway ; or

(b) shows any light or signal, or in any way deals with any existing light or signal, upon or near the railway ; or

(c) by any omission to do any act which it is his duty to do causes the free and safe use of the railway to be endangered,

shall be punished with imprisonment for life or for any less term and shall also be liable to fine.

Damage to
railway
works.

471. Whoever—

(a) intentionally damages or obstructs any work, way, road, building, turnstile, gate, toll bar, fence, weighing machine, engine, tender, carriage, waggon, truck, material or plant belonging to any railway works ; or

(b) intentionally interferes with, any pole, stake, flag, peg, line, mark, or anything driven or placed in or upon the ground, any tree, stone, or buildings, or any other material belonging to any railway works ; or

(c) commits any nuisance or trespass in or upon any land, buildings or premises, acquired for or belonging to any railway works ; or

(d) intentionally obstructs the officer in charge of any railway or his assistants or workmen in the execution of any work done or to be done in reference to the construction or maintenance of any such railway,

shall be punished with imprisonment which may extend to three months or with fine which may extend to twenty pounds or with both.

Obstructing
aircraft.

472. Whoever, by any unlawful act, obstructs, causes an alteration to be made in the course of or in any way whatsoever hinders or impedes the movement of any aircraft, which is in motion on or in flight over any aerodrome shall be punished with imprisonment which may extend to two years or with fine or with both.

Trespass on
aerodrome.

473. Whoever commits any nuisance or trespass in or upon any aerodrome or in or upon any building or premises situated on any aerodrome shall be punished with imprisonment which may extend to three months or with fine or with both.

CHAPTER XXXVI.—OFFENCES RELATING TO MINES AND MINERALS

Fraudu-
lently dealing
with minerals
in mines.

474. Whoever takes, conceals, or otherwise disposes of, any ore of any metal or mineral in or about a mine, with intent to defraud shall be punished with imprisonment which may extend to three years or with fine or with both.

475. Whoever with intent to injure a mine or to obstruct the working of a mine—

Attempt to injure mines.

(a) unlawfully, and otherwise than by an act done underground in the course of working an adjoining mine—

(i) causes water to run into the mine or into any subterranean passage communicating with the mine; or

(ii) obstructs any shaft or passage of the mine; or

(b) unlawfully obstructs the working of any machine, appliance, or apparatus, appertaining to or used with the mine, whether the thing in question is completed or not; or

(c) unlawfully, and with intent to render it useless, injures or unfastens a rope, chain or tackle or whatever material, which is used in the mine, or upon any way or work appertaining to or used with the mine,

shall be punished with imprisonment which may extend to seven years or with fine or with both.

CHAPTER XXXVII.—DEPORTATION AND PASSPORTS

476. (1) Whoever not being a native of Nigeria shall, upon conviction of an offence under section 201, 275, 276, 278 or 281 be liable to be deported by order of the Minister charged with responsibility for such matters, and the provisions of sections 4, 5, 6 and 9 of the Aliens Ordinance shall apply *mutatis mutandis* in the case of a deportation under this section.

Deportation of non-natives of Nigeria. Cap. 9.

(2) Where any person being a native of Nigeria is deported from any British possession to Nigeria under the provisions of any law of such possession and for offences similar to the offences contained in section 201, 275, 276, 278 or 281, such person may, on arrival in Nigeria, be kept temporarily in custody and returned under police escort to the place in Nigeria to which such person belongs.

477. Whoever for the purpose of procuring a passport, whether for himself or any other individual, makes or causes to be made in any written application to a public servant a statement which to the knowledge of such person is false in any material particular shall be punished with imprisonment which may extend to one year or with fine or with both.

False statements in application for passports.

This printed impression has been carefully compared by me with the Bill which has passed the Federal Legislative Houses and found by me to be a true and correctly printed copy of the said Bill.

B. ADE. MANUWA,
Clerk of the Parliaments