

## NIGERIAN CITIZENSHIP ORDINANCE, 1960

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# A BILL

FOR

AN ORDINANCE RELATING TO CITIZENSHIP OF NIGERIA.

[1st October, 1960]

WHEREAS it is proposed that, upon the relinquishment by Her Majesty's Government in the United Kingdom of their responsibility for the Government of the Federation of Nigeria, the Constitution of Nigeria will contain certain provisions relating to citizenship of Nigeria including provisions for the acquisition of citizenship by birth and by descent :

AND WHEREAS it is further proposed that under the said Constitution it will continue to be within the competence of the Legislature of the Federation of Nigeria to make laws consistent therewith for the acquisition and termination of and other matters relating to citizenship :

Title.

Commence  
ment.

Preamble.

AND WHEREAS it is considered expedient to provide for the acquisition of citizenship by registration and naturalisation, the termination of citizenship and other matters relating to citizenship generally with the intent that such provisions will come into operation simultaneously with the coming into operation of the proposed Constitutional provisions :

Enactment.

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

#### PART I—PRELIMINARY

Short title,  
commence-  
ment and  
application.  
Interpreta-  
tion.

1. (1) This Ordinance may be cited as the Nigerian Citizenship Ordinance, 1960, and shall come into operation on the 1st October, 1960.

(2) This Ordinance shall apply throughout the Federation.

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

“alien” means a person who is not a Commonwealth citizen, a protected person or a citizen of the Republic of Ireland ;

“certificate of naturalisation” means a certificate of naturalisation granted under this Ordinance ;

“the Commonwealth” means Nigeria, any country mentioned in subsection (5) of section 3 and any dependency of any such country ;

“the Constitution” means the Constitution of Nigeria ;

“foreign country” means a country (other than the Republic of Ireland) that is not part of the Commonwealth ;

“the Minister” means the Minister charged with responsibility for matters relating to citizenship of Nigeria ;

“minor” means a person who has not attained the age of twenty-one years, and when used adjectivally shall be construed accordingly ;

“Nigerian consulate” means an office of a consular officer of the Government of the Federation where a register of births is kept, or where there is no such office, such office as may be prescribed ;

“protected person” means any person who under any enactment for the time being in force in any country that is part of the Commonwealth is a British protected person or a protected person of that country.

(2) For the purposes of this Ordinance a person born in a ship or aircraft registered in Nigeria or belonging to the Government of the Federation shall be deemed to have been born in Nigeria.

(3) A person shall for the purposes of this Ordinance be of full age if he has attained the age of twenty-one years and of full capacity if he is not of unsound mind.

(4) For the purposes of this Ordinance a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

#### PART II—CITIZENSHIP BY REGISTRATION AND NATURALISATION

Registration  
of certain  
persons as  
citizens.

3. (1) Subject to the provisions of subsection (4), a citizen of any country mentioned in subsection (5) or of the Republic of Ireland or a protected person, being a person of full age and capacity, on making application therefor to the Minister in the prescribed manner, may be registered as a citizen of Nigeria if he satisfies the Minister—

(a) that he is of good character;

(b) that he has a sufficient knowledge of a language in current use in Nigeria; and

(c) that he is ordinarily resident in Nigeria and has been so resident throughout the period of five years, or such shorter period as the Minister may in the special circumstances of any particular case accept, immediately preceding his application.

(2) Subject to the provisions of subsection (4), any person of full age and capacity born outside Nigeria whose father was at the time of that person's birth a citizen of Nigeria by descent may, on making application therefor to the Minister in the prescribed manner, be registered as a citizen of Nigeria.

(3) Subject to the provisions of subsection (4), a woman who is or has been married to a citizen of Nigeria, or who has been married to a person who would but for his death have become a citizen of Nigeria may, on making application therefor to the Minister in the prescribed manner, be registered as a citizen of Nigeria whether or not she is of full age and capacity.

(4) A person shall not be registered as a citizen of Nigeria under this section unless and until he has made a declaration in writing of his willingness to renounce any other nationality or citizenship he may possess and has taken an oath of allegiance in the form specified in the First Schedule.

First  
Schedule.

(5) (a) The following are the countries hereinbefore referred to—that is to say, the United Kingdom and Colonies, Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, the Federation of Rhodesia and Nyasaland, Ceylon, Ghana, the Federation of Malaya and the State of Singapore.

(b) The Governor-General may by order amend paragraph (a) of this subsection for the purpose of adding any country to the countries mentioned therein.

4. (1) The Minister may cause the minor child of any citizen of Nigeria to be registered as a citizen of Nigeria upon application made in the prescribed manner by a parent or guardian of the child.

Registration  
of minors.

(2) The Minister, in such special circumstances as he thinks fit, may cause any minor to be registered as a citizen of Nigeria.

5. A person registered under section 3 or section 4 shall be a citizen of Nigeria by registration as from the date on which he is registered.

Effect of  
Registration  
as a citizen.

6. The Minister, if application therefor is made to him in the prescribed manner by any alien of full age and capacity who satisfies him that he is qualified under the provisions of the Second Schedule for naturalisation, may grant to him a certificate of naturalisation, and the person to whom the certificate is granted shall, on taking an oath of allegiance in the form specified in the First Schedule, and on making a declaration in writing of his willingness to renounce any other nationality or citizenship he may possess and any claim to the protection of any other country, be a citizen of Nigeria by naturalisation as from the date on which that certificate is granted.

Naturaliza-  
tion of aliens.  
Second  
Schedule.

First  
Schedule.

### PART III—RENUNCIATION AND DEPRIVATION OF CITIZENSHIP

7. (1) If any citizen of Nigeria of full age and capacity who is also—

(a) a citizen of any country that is part of the Commonwealth or of the Republic of Ireland; or

(b) a national of a foreign country,

Renunciation  
of citizenship  
by reason of  
dual citizen-  
ship or  
nationality.

makes a declaration in the prescribed manner of renunciation of citizenship of Nigeria, the Minister may cause the declaration to be registered; and, upon the registration, that person shall cease to be a citizen of Nigeria;

Provided that the Minister may withhold registration of any such declaration if it is made during any war in which Her Majesty may be engaged by a person who is a national of a foreign country or if in his opinion it is otherwise contrary to public policy.

(2) For the purposes of this section any woman who has been married shall be deemed to be of full age.

8. (1) The Minister may by order deprive any person, other than a person who is a citizen of Nigeria by virtue of his having been born in Nigeria, of his Nigerian citizenship if the Minister is satisfied that that person has at any time while a citizen of Nigeria and of full age and capacity—

(a) acquired the nationality or citizenship of a foreign country by any voluntary and formal act other than marriage; or

(b) voluntarily claimed and exercised—

(i) in a foreign country; or

(ii) in any other country under the law of which provision is in force for conferring on its own citizens rights not available to Commonwealth citizens generally, any right available to him under the law of that country, being a right accorded exclusively to its own citizens,

and that it is not conducive to the public good that he should continue to be a citizen of Nigeria.

(2) The Minister may require any such citizen of Nigeria as is referred to in section 7 to renounce his nationality or citizenship of any other country within such period as the Minister may specify and in the event of any such person failing to renounce such nationality or citizenship within the time specified the Minister may by order deprive that person of his citizenship of Nigeria.

(3) Upon an order being made under this section in respect of any person, he shall cease to be a citizen of Nigeria.

9. (1) A citizen of Nigeria who is such by registration or naturalisation shall cease to be a citizen of Nigeria if he is deprived of that citizenship by an order of the Minister made under this section or section 10.

(2) Subject to the provisions of this section, the Minister may by order deprive any such citizen of his citizenship if he is satisfied that the registration or certificate of naturalisation was obtained by means of fraud, false representation or the concealment of any material fact.

(3) Subject to the provisions of this section the Minister may by order deprive any citizen of Nigeria who is such by naturalisation of his citizenship if he is satisfied that that citizen—

(a) has shown himself by act or speech to be disloyal or disaffected towards Her Majesty or the Government of Nigeria; or

(b) has, during any war in which Nigeria was engaged, unlawfully traded or communicated with any enemy or been engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist an enemy in that war; or

(c) has within seven years after becoming naturalised been sentenced in any country to imprisonment for a term of not less than twelve months.

Deprivation of citizenship on naturalization or exercise of certain rights in other countries or failure to renounce other nationality or citizenship.

Deprivation of citizenship of citizens by registration and naturalised persons.



(4) The Minister may by order deprive any citizen by naturalisation of his citizenship of Nigeria if he is satisfied that that person has been ordinarily resident in a foreign country or foreign countries for a continuous period of seven years and during that period has not registered annually in the prescribed manner at a Nigerian consulate, or by notice in writing to the Minister, his intention to retain his citizenship of Nigeria.

(5) The Minister shall not deprive a person of citizenship under this section unless he is satisfied that it is not conducive to the public good that that person should continue to be a citizen of Nigeria.

10. When a naturalised person who was a citizen of any country that is part of the Commonwealth or of the Republic of Ireland has been deprived of that citizenship on grounds which, in the opinion of the Minister, are substantially similar to any of the grounds specified in subsections (2), (3) and (4) of section 9, then, if that person is a citizen of Nigeria, the Minister may by an order made under this section deprive him of his Nigerian citizenship, if the Minister is satisfied that it is not conducive to the public good that that person should continue to be a citizen of Nigeria.

Deprivation of citizenship of Nigeria when persons deprived of citizenship elsewhere.

11. The renunciation by any person of his Nigerian citizenship or the deprivation of any person's Nigerian citizenship under the provisions of this part shall not affect the liability of that person for any offence committed by him before the renunciation or deprivation of his citizenship.

Effect of renunciation or deprivation of citizenship.

#### PART IV—SUPPLEMENTAL

12. Any reference in this Ordinance to the national status of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the national status of the father at the time of the father's death; and where that death occurred before the 1st October, 1960, and the birth occurred after the 30th September, 1960, the national status that the father would have had if he had died on the 1st October, 1960, shall be deemed to be his national status at the time of his death.

Posthumous children.

13. The Minister shall not be required to assign any reason for the grant or refusal of any application under this Ordinance and the decision of the Minister on any such application shall not be subject to appeal to or review in any court.

Decision of Minister to be final.

14. The Minister may in such cases as he thinks fit, on the application of any person with respect to whose citizenship of Nigeria a doubt exists, whether on a question of fact or law, certify that that person is a citizen of Nigeria; and a certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or concealment of any material fact, be *prima facie* evidence that that person was such a citizen on the date thereof, but without prejudice to any evidence that he was such a citizen at an earlier date.

Certificate of citizenship in cases of doubt.

15 (1) Every document purporting to be a notice, certificate, order or declaration, or an entry in a register, or a subscription of an oath of allegiance, given, granted or made under this Ordinance or under the Constitution, shall be received in evidence, and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

Evidence.

(2) *Prima facie* evidence of any such document as aforesaid may be given by production of a document purporting to be certified as a true copy thereof by such person and in such manner as may be prescribed.

(3) Any entry in a register made under this Ordinance or under the Constitution, shall be received as evidence of the matters stated in the entry.

#### Offences.

16. (1) Any person who for the purpose of procuring anything to be done or not to be done under this Ordinance or under the Constitution makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, shall be guilty of an offence and on conviction be liable to a fine of one hundred pounds and to imprisonment for six months.

(2) Any person who fails to comply with any requirement imposed on him by regulations made under this Ordinance with respect to the delivering up of certificates of naturalisation shall be guilty of an offence and on conviction be liable to a fine of one hundred pounds and to imprisonment for six months.

#### Regulations.

17. The Governor-General may by regulations make provision generally for carrying into effect the purposes of this Ordinance, and in particular—

(a) for prescribing anything which under this Ordinance is to be prescribed;

(b) for the registration of anything required or authorised under this Ordinance to be registered;

(c) for the administration and taking of oaths of allegiance under this Ordinance, for the time within which oaths of allegiance shall be taken and for the registration of oaths of allegiance;

(d) for the giving of any notice required or authorized to be given to any person under this Ordinance;

(e) for the cancellation of the registration of, and the cancellation and amendment of certificates of naturalisation relating to, persons deprived of citizenship under this Ordinance, and for requiring such certificates to be delivered up for those purposes;

(f) for the registration by officers in the service of the Government of the Federation of the births and deaths of persons of any class or description born or dying elsewhere than in Nigeria;

(g) for enabling the births and deaths of citizens of Nigeria born or dying in any country in which the Government of the Federation has for the time being no diplomatic or consular representatives to be registered by persons serving in the diplomatic, consular or other foreign service of any country which, by arrangement with the Government of the Federation, has undertaken to represent that Government's interest in that country, or by a person authorised in that behalf by the Governor-General;

(h) for the imposition and recovery of fees in respect of any application made to the Minister under this Ordinance or in respect of any registration, or the making of any declaration, or the grant of any certificate, or the taking of any oath of allegiance, authorised to be made, granted or taken by or under this Ordinance, and in respect of supplying a certified or other copy of any notice, certificate, order, declaration or entry, given, granted or made as aforesaid and for the application of any such fees.

18. The provisions of this Ordinance shall have effect subject to any provision inconsistent therewith for the time being contained in the Constitution.

Incon-  
sistency  
with  
Constitu-  
tional  
provisions.

19. The British Nationality and Status of Aliens Fees Ordinance, the Naturalisation of Aliens Ordinance and the British Nationality (Offences and Fees) Ordinance, 1949, and all subsidiary legislation made under those Ordinances are repealed.

Repeals.  
Cap. 22.  
Cap 146.  
No. 22 of  
1949.

## FIRST SCHEDULE

(ss. 3 & 6)

### OATH OF ALLEGIANCE

I, ..... swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law and that I will support and uphold the Constitution of Nigeria as by law established. So help me God.

## SECOND SCHEDULE

(s. 6)

### QUALIFICATIONS FOR NATURALISATION

The qualifications for naturalisation of an alien who applies therefor are—

(a) that he has resided in Nigeria throughout the period of twelve months immediately preceding the date of the application ; and

(b) that during the seven years immediately preceding the said period of twelve months he has resided in Nigeria for periods amounting in the aggregate to not less than five years ; and

(c) that he has an adequate knowledge of a language in current use in Nigeria ; and

(d) that he is of good character ; and

(e) that he intends, if naturalised, to continue to reside permanently in Nigeria.



*Objects and Reasons*

As explained in the preamble to this Bill, it is proposed that upon Independence the Constitution of Nigeria will contain certain provisions relating to citizenship of Nigeria and in particular to the acquisition of citizenship by birth and by descent.

2. The Federal Legislature at present has power to make laws in connection with citizenship applicable throughout Nigeria, and it is envisaged that this power will continue upon Independence within the limits permitted by the Constitutional provisions.

3. The object of this Bill therefore is to provide for certain matters concerning citizenship which are not intended to be included in the Constitution, the more important of which are the acquisition of citizenship by registration and naturalisation, the termination of citizenship and offences in connection with citizenship.

USMAN SARKI,  
*Minister of Internal Affairs*

(Bills 620)

# A BILL

FOR

AN ORDINANCE TO AMEND THE MONEYLENDERS ORDINANCE

1

]

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

1. (1) This Ordinance may be cited as the Moneylenders (Amendment) Ordinance, 1960, and shall come into operation on the first day of October, 1960.

(2) This Ordinance shall apply to the Federal Territory of Lagos.

Title.

Commence-  
ment.

Enactment.

Short title,  
commence-  
ment and  
application.

Amendment  
of section 2.

2. Section 2 of the Moneylenders Ordinance (hereinafter referred to as the principal Ordinance) is amended by—

(a) the insertion after the definition of "firm" of the following definition—

No. 19 of  
1958.

"licensed bank" means a bank which is in possession of a valid licence granted under the Banking Ordinance, 1958 ;"

(b) the deletion from the definition of "moneylender" of paragraph (d).

Addition of  
new section  
2A.

3. The principal Ordinance is amended by the addition after section 2 of the following new section—

"Exemption. 2A. The Minister may by order exempt any person or body corporate from all or any of the provisions of this Ordinance."

Amendment  
of section 3.

4. Section 3 of the principal Ordinance is amended by the deletion of the letter ", (d),".

Amendment  
of section 4.

5. Section 4 of the principal Ordinance is amended by the deletion from subsection (1) of the word "five" and the substitution therefor of the following—

"twenty-five".

Amendment  
of section 6.

6. Section 6 of the principal Ordinance is amended by the addition after subsection (3) of the following subsection—

"(3A) Every certificate granted to a moneylender shall, in addition to the requirements of subsection (3), specify the name of the bank and the address of the branch thereof at which the person to whom such certificate relates is maintaining a current account for the purposes of the provisions of section 12A."

Amendment  
of section 8.

7. Section 8 of the principal Ordinance is amended by—

(a) the insertion in paragraph (d) of subsection (1) after the word "disqualified" of the following—

"under subsection (3) of section 12A or";

(b) the addition in subsection (1) after paragraph (d) of the following new paragraph—

"(dd) that the applicant is not maintaining a current account with a licensed bank for the purposes of the provisions of section 12A ;".

Amendment  
of section  
12.

8. Section 12 of the principal Ordinance is amended by the addition in subsection (3) after paragraph (a) of the following new paragraph—

"(aa) the name of the bank and the branch thereof on which the cheque, by means of which the money was lent, was drawn and the number of the cheque ;".

Addition of  
new section  
12A.

9. The principal Ordinance is amended by the addition after section 12 of the following new section—

"Loans to be made by Cheque. 12A. (1) Every moneylender shall maintain a current account with a licensed bank.

(2) No contract by a borrower or his agent for the repayment or securing of money lent to the borrower or to any agent on his behalf by a moneylender or for the repayment by the borrower or by any agent on his behalf of interest on money so lent and no security given by the borrower or by any such agent as aforesaid

in respect of any such contract shall be enforceable unless the money lent was lent by means of a crossed cheque drawn by the moneylender upon his current account at a licensed bank.

(3) Any moneylender who makes or attempts to make any arrangement whereby the borrower is prevented from obtaining the full amount of the cheque drawn in his or his agent's favour or any arrangement whereby the borrower or his agent is required directly or indirectly to refund to the moneylender, otherwise than by repayment of the loan, any part of the said amount shall be guilty of an offence and liable to a penalty not exceeding fifty pounds, and upon conviction of a moneylender for an offence under this subsection his moneylender's licence shall be deemed to be revoked and he shall be disqualified for the grant of a moneylender's licence at any time thereafter."

10. Section 14 of the principal Ordinance is amended by the deletion from subsection (1) of the word "fifty" and the substitution therefor of the following—

Amendment  
of section  
14.

"three hundred".

11. (1) The amendments to the principal Ordinance effected by section 6 of this Ordinance shall not apply in respect of any certificate granted to a moneylender before the coming into operation of this Ordinance.

Application  
of certain  
amendments.

(2) The amendments to the principal Ordinance effected by sections 8 and 9 of this Ordinance shall not be deemed to render unenforceable any contract made before the coming into operation of this Ordinance.

#### *Objects and Reasons*

The principal amendment to the Moneylenders Ordinance which this Bill seeks to introduce is to make it obligatory for a moneylender to make his loans by means of a crossed cheque drawn on a current account of a licensed bank in order to make abuses of the Ordinance more readily detectable. *Clause 9* contains a new section 12A to this effect. *Clauses 2 (a), 6, 7 and 8* make certain consequential alterations and *Clause 11* provides that these amendments will not affect contracts and certificates previously entered into or granted.

2. The opportunity is taken to make certain other amendments as follows—

*Clauses 2 (a), 3 and 4:* Under the present definition of "moneylender" the Minister may exempt persons and bodies corporate from the Ordinance as a whole. This power to exempt is here retained but includes the power to exempt from only part of the Ordinance.

*Clause 5:* The fee for a moneylender's licence is increased from five to twenty-five pounds.

*Clause 10:* The maximum penalty for charging unauthorized interest is increased from fifty to three hundred pounds.

USMAN SARKI,  
Minister of Internal Affairs,  
Federation of Nigeria

# A BILL

FOR

AN ORDINANCE TO AMEND THE INTERPRETATION ORDINANCE

Title.

Commence-  
ment.

Enactment.

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

1. This Ordinance may be cited as the Interpretation (Amendment) Ordinance, 1960, and shall be of Federal application.

Short title  
and  
application.

2. Section 3 of the Interpretation Ordinance is amended by the deletion of the definition of "military forces" and the substitution therefor of the following—

Amend-  
ment of  
section 3.

"military forces" includes all officers, warrant officers, non-commissioned officers, civilians, ratings and rank and file belonging to and borne on the strength of or seconded for service with the Royal Nigerian Military Forces or the Royal Nigerian Navy;".

## *Objects and Reasons*

The definition of "military forces" in the Interpretation Ordinance was framed at a time when the Royal West African Frontier Force was the only armed force. This Bill seeks to amend the definition of "military forces" in the Interpretation Ordinance so as to bring that definition up-to-date and in particular to include the Royal Nigerian Navy.



# A BILL FOR

AN ORDINANCE TO MAKE PROVISION FOR THE PREVENTION OF ABUSE OF THE OFFICIAL SEAL, EMBLEM AND NAME OF THE WORLD METEOROLOGICAL ORGANISATION.

Title.

[

]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the World Meteorological Organisation (Protection) Ordinance, 1960, and shall be of Federal application.

Short title  
and  
application.

2. It shall not be lawful for any person, without the authority of the Minister of the Federation charged with responsibility for trade marks, to use for any purpose whatsoever any of the following, that is to say—

(a) the design in the Schedule which is the official seal and emblem of the World Meteorological Organisation, or

(b) the designation "World Meteorological Organisation" or any abbreviation of that designation.

Improper  
use of  
W.M.O.  
official seal,  
emblem and  
name  
prohibited.  
Schedule.

Penalties.

3. If any person contravenes the provisions of section 2 he shall be guilty of an offence and shall be liable to a fine of one hundred pounds, and to forfeit any goods upon or in connection with which the seal, emblem or designation was used.

## SCHEDULE

(Section 2)

SCEAU OFFICIEL ET EMBLEME de l'Organisation Meteorologique Mondiale (O.M.M.).

THE OFFICIAL SEAL AND EMBLEM of the World Meteorological Organisation (W.M.O.).

*Objects and Reasons*

The object of this Bill is to prevent the unauthorised use of the official seal, emblem and name of the World Meteorological Organisation.

Z. B. DIPCHARIMA,  
*Minister of Commerce and Industry,  
Federation of Nigeria*

# A BILL

FOR

AN ORDINANCE TO AMEND THE ELECTRICITY CORPORATION OF NIGERIA  
ORDINANCE, 1950.

Title.

[ ]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the Electricity Corporation of  
Nigeria (Amendment) Ordinance, 1960, and shall be of Federal application.

Short title  
and  
application.

Amendment  
of section 32.

2. Section 32 of the Electricity Corporation of Nigeria Ordinance, 1950, is amended by—

(a) the deletion from subsection (2) of paragraph (a) and the substitution therefor of the following—

“(a) to the creation of a general reserve and such other reserves as may be sanctioned by the Governor-General in Council; and”;

(b) the repeal of subsection (3) and the substitution therefor of the following—

“(3) The maximum size of the general reserve or any other reserve created in accordance with the provisions of subsection (2) shall be such as may be fixed by the Governor-General in Council from time to time, and the Corporation may from time to time place such proportion of the balance of its revenue as the state of its affairs shall permit in such reserve or reserves up to the maximum fixed as aforesaid.”.

#### *Objects and Reasons*

The purpose of this Bill is to amend section 32 of the Electricity Corporation of Nigeria Ordinance, 1950, in two respects as follows—

(i) to allow for the creation of reserves with the sanction of the Governor-General in Council, in addition to the general reserve at present provided for in subsection (2);

(ii) to make it clear in subsection (3) that each payment from the balance of revenue into reserve does not require the sanction of the Governor-General in Council, but that it is only the maximum size of a reserve which must be so sanctioned.

MAITAMA SULE,  
Minister of Mines and Power  
Federation of Nigeria

(Bills 696)

SMO17986

# A BILL

FOR

AN ORDINANCE TO AMEND THE WORKMEN'S COMPENSATION ORDINANCE  
(CHAPTER 234)

Title.

[

]

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the Workmen's Compensation  
(Amendment) Ordinance, 1959, and shall be of Federal Application.

Short title  
and  
application.

2. Section 3 of the Workmen's Compensation Ordinance (hereinafter  
referred to as the principal Ordinance) is amended by the insertion in subsec-  
tion (1) after the definition of "insurer" of the following definition—

Amendment  
of section 3.  
Cap. 234.

"labour officer" bears the same meaning as in section 5 of the Labour  
Code Ordinance ;



Amendment  
of section  
28D.

3. (1) Section 28D of the principal Ordinance is amended by—

(a) the deletion of the words "certified as";

(b) the deletion of the words "compensation shall be payable as if any disease so specified" and the substitution therefor of the following—

"where a medical practitioner grants a certificate that a workman is suffering from any disease so specified and a Court, on the hearing of an application, is satisfied on the evidence as to the matters stated in the certificate compensation shall be payable as if the disease";

(c) the insertion in paragraph (c) of the proviso after the word "certified" of the following—

"by a medical practitioner";

(d) the deletion from paragraph (c) of the proviso of the words "immediately before" and the substitution therefor of the following—

"at any time within one month immediately preceding".

(2) The amendments effected by subsection (1) shall not apply in relation to any claim made under section 23D of the principal Ordinance in respect of the incapacity of a workman which commenced or the death of a workman which occurred before the coming into operation of this Ordinance.

### *Objects and Reasons*

The main purpose of this Bill is to amend section 28D of the Workmen's Compensation Ordinance (Chapter 234) which deals with incapacity or death, caused by occupational diseases so as to remove doubts which have arisen in connection with that section.

2. The word "certified" in connection with diseases is used in two places in the section without specifying by whom a certificate is to be made. Clause 3 amends section 28D so as to make it clear that certificates in this context must be issued by a medical practitioner.

3. Paragraph (c) of the proviso to section 28D contains a presumption as to the cause of a disease if the workman was "immediately before the date of disablement" employed in the process concerned. Doubt has arisen as to the meaning of the words "immediately before" in this context, and clause 3 substitutes the words "at any time within one month immediately preceding".

4. The opportunity is taken (clause 2) to insert a definition of "labour officer" in section 3 of the Ordinance. Reference is made to labour officers in sections 14 and 16 of the Ordinance.

J. M. JOHNSON,  
*Federal Minister of Labour*

# A BILL

FOR

AN ORDINANCE TO AMEND THE NIGERIAN COLLEGE OF ARTS, SCIENCE AND TECHNOLOGY ORDINANCE, 1952 (No. 12 of 1952).

Title.

[

Commence-  
ment.

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

Enactment.

1. This Ordinance may be cited as the Nigerian College of Arts, Science and Technology (Amendment) Ordinance, 1960, and shall be of Federal application.

Short title  
and  
application.

Amendment  
of section 15.  
No. 12 of  
1952.

2. Section 15 of the Nigerian College of Arts, Science and Technology Ordinance, 1952, is amended by the addition after subsection (3) of the following new subsection—

“(4) The Minister may by order declare that any office which is a pensionable appointment for the purposes of subsection (1) shall be deemed to have been a pensionable appointment as from such date prior to its inclusion as a pensionable appointment in the Second Schedule as may be specified in the order, and thereupon an appointment may accordingly be made under subsection (1) to that office on pensionable terms with effect from that or any later date.”.

*Objects and Reasons*

Under section 15 of the Nigerian College of Arts, Science and Technology Ordinance, 1952, appointments as members of the staff of the college may be made on pensionable terms within the limits set out in the Second Schedule. The object of this Bill in amending that section is to permit offices mentioned in the Second Schedule to be declared by order to be pensionable as from a date prior to their inclusion in that Schedule.

(Bills 691)

AJA NWACHUKU,  
*Minister of Education,  
Federation of Nigeria*

ED/H12/S. 1

# A BILL

FOR

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-ONE ADDITIONALLY TO THAT MADE BY THE APPROPRIATION (1960-61) ORDINANCE, 1960.

Title.

[ ]

Commence-  
ment.

WHEREAS by the Appropriation (1960-61) Ordinance, 1960 (hereinafter referred to as the Appropriation Ordinance) a sum of Forty-Six Million, Six Hundred and Twenty-Nine Thousand, Nine Hundred and Thirty Pounds was provided for the service of the Federation of Nigeria for the year ending on the 31st day of March, 1961, to be applied and expended in the manner therein described and for the services set forth in the Schedule to that Ordinance :

Preamble.  
No. 10 of  
1960.

AND WHEREAS certain additional provision is required for the said year for the services set forth in the First Schedule to this Ordinance :





<i>Brought forward</i>	..	..	..	..	..	£	756,980
47. Agriculture (Research)	..	..	..	..	..		10,650
52. Marketing and Exports	..	..	..	..	..		3,010
58. Legislature	..	..	..	..	..		9,200
64. Contributions to the Development Fund	..	..	..	..	..		500,000
Total	..	..	..	..	..		<u>£1,279,840</u>

SECOND SCHEDULE

(Section 3)

						£	
23. Cabinet Office	..	..	..	..	..		20,000
47. Agriculture (Research)	..	..	..	..	..		1,080
53. Ministry of Transport and Aviation	..	..	..	..	..		500
							<u>£21,580</u>

*Objects and Reasons*

To make supplementary provision for the service of the Federation of Nigeria for the year 1960-61.

F. S. OKOTIE-BOH,  
*Federal Minister of Finance*