

The following Bills, which will in due course be presented to Parliament for enactment, are published for general information.

LAGOS LOCAL GOVERNMENT BILL

EXPLANATORY MEMORANDUM

The purpose of this Bill is to amend a few sections of the Lagos Local Government Act, 1959. The amendments affect the preparation of voters lists, the acceptance and administration of property by the Lagos City Council for public purposes and the definition of authorised expenditure.

The Bill also contains sundry adaptations to the principal Act made necessary by the present Constitution of the Federation.

MUSA YARADUWA
Minister of Lagos Affairs

ARRANGEMENT OF CLAUSES

Clause

1. Additional powers in relation to the lists of voters.
2. Restriction on power to acquire etc. certain property.
3. Extended meaning of authorised expenditure.

4. Miscellaneous amendment.
5. Powers validly exercised.
6. Short title, citation, etc.

SCHEDULE—Miscellaneous amendment

A BILL

FOR

AN ACT TO AMEND THE LAGOS LOCAL GOVERNMENT ACT 1959; AND TO ADAPT SUCH ACT IN CONFORMITY WITH THE CONSTITUTION OF THE FEDERATION

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows:—

1. In the course of preparation of the official lists of voters for the purposes of an election of the Council under the provisions of the Lagos Local Government Act 1959 (in this Act hereafter referred to as the principal Act); where—

Additional powers in relation to the lists of voters.

1959 Reprint p. D 199.

(a) the name of any person has been omitted from, or is inaccurately stated in, any preliminary list that person shall, when making a claim in the prescribed form, give such additional information as to his name, address or occupation as the returning officer may reasonably require to complete the official lists;

(b) any person qualified under the principal Act to do so, gives notice in the prescribed form of objection to the inclusion to the preliminary list of the name of any other person, he shall send the notice of objection by registered post;

and the rules referred to in section eighteen of the principal Act and contained with sundry prescribed forms in the First Schedule to that Act, shall in any such case be read and construed so as to give effect to this section accordingly.

2. Where the Council is empowered to accept, hold and administer property for public purposes, the power shall not be deemed to authorise the acceptance, holding or administration of property which is subject to any religious or charitable trust, and section ninety-three of the principal Act (which authorises acceptance etc. of property for public purposes) shall be so construed and have effect.

Restriction on power to acquire etc. certain property.

3. The Fourth Schedule to the principal Act (which relates to sundry special and general purposes of expenditure) is amended by the insertion immediately after item 10, of the following new items

Extended meaning of authorised expenditure.

"11. Advances for the purchase of motor vehicles, motor cycles and bicycles to officers of the Council for the efficient performance of their duties.

"12. Advances to officers of the Council under the staff housing scheme of the Council.

"13. Allowances to officers and members of the Council for attendance at any conference or meeting of a joint committee, joint board, joint authority or other similar organisation."

4. The principal Act is further amended to the extent set out in the Schedule to this Act.

Miscellaneous amendments.

Powers
validly
exercised.

Short title,
citation etc.
1959 Reprint
p. 1199
1963 No. V

5. It is hereby declared for the avoidance of doubt that the amendments made by this Act shall, in so far as they affect or relate to any of the Schedules to the principal Act, have effect notwithstanding any different provision made by section one hundred and eighty-three of the principal Act.

6.—(1) This Act may be cited as the Lagos Local Government Act, 1964 and this Act and the principal Act, as affected by the City of Lagos Act, 1963, may be cited together as the Lagos Local Government Acts 1959 to 1964.

(2) This Act shall apply to the Federal territory.

SCHEDULE

Section 4

Miscellaneous Amendments

Section 2

(a) In the definition of—

“land” for the word “Crown” where it twice occurs there shall be substituted the word “State”

“trunk road” for the words “the Governor-General” there shall be substituted “Parliament in the case of a federal trunk road or the Minister in any other case,”

(b) Insert in alphabetical sequence the following definition—
“Minister” means the Minister of Lagos Affairs ;

Section 3

For the expression “Governor-General in Council” there shall be substituted “Council of Ministers”

Section 4

For the expression “Governor-General in Council” where it occurs in the subsections there shall be substituted the word “Minister”

Section 5

(a) For the expression “Governor-General in Council” where it thrice occurs there shall be substituted the word “Minister”

(b) For the reference in paragraph (e) to Crown land there shall be substituted a reference to State land

Section 7

For the expression “Governor-General in Council” where it occurs therein there shall be substituted “Minister”

Section 8

All words from the commencement up to “Lagos” shall be repealed and there shall be substituted “There may, in and for the city of Lagos, be appointed by the proper authority, by notice in the Gazette”

SCHEDULE—continued

Section 9A

(a) For the words "Governor-General" there shall be substituted the word "Minister"

(b) For the avoidance of doubt it is declared that the word "Municipal" where it occurs in paragraphs (b) and (c) is affected by the provisions of the City of Lagos Act 1963 and the word "city" is accordingly substituted therefor in those paragraphs

Section 13

For "Governor-General" where it occurs therein there shall be substituted the words "Council of Ministers"

Section 14

For the expression "Governor-General in Council" there shall be substituted "President of the Republic"

Section 15

For the expression "Governor-General in Council" where it occurs therein there shall be substituted "Minister"

Section 17

In subsection (1) in paragraph (b) there shall be substituted for the words "British subject or a British protected person" the words "citizen of Nigeria"

In subsection (2) in paragraph (b) all words after "has" where it first occurs up to "jurisdiction" shall be omitted.

Section 19

(a) All words from the commencement up to "appoint" shall be repealed and there shall be substituted "There may for the purposes of an election under this Act be appointed": and

(b) In paragraph (d) thereof for the expression "Governor-General in Council" there shall be substituted the word "Minister"

Section 20

All words from the commencement up to "arise and" shall be repealed and there shall be substituted the words "There shall also be appointed a chief registration officer and a returning officer as occasion may arise and any such appointment"

Section 27

In paragraph (a) there shall be substituted for the words "British subject or British protected person" the words "citizen of Nigeria"

Section 31

In subsection (3)—

(a) in paragraph (c) all words after "peace" up to the end of the paragraph shall be repealed, and

(b) paragraph (e) shall be omitted.

SCHEDULE—continued

Section 33

There shall be substituted for all words of the proviso after "any branch of" up to the end of the section, the words "of the armed forces of Nigeria when employed during war or any emergency, and any other person whose employment in the service of Nigeria in connection with any war or emergency is such as, in the opinion of the Minister to entitle him to relief from disqualification on account of absence, shall not cease to be a member of the Council if the failure of any such person to attend meetings of the Council is due to such employment with the armed forces or other service of Nigeria, as the case may be."

Section 40

For the expression "Governor-General in Council" there shall be substituted the word "Minister"

Section 51

In subsection (2) in paragraph (iii) there shall be substituted for "Her Majesty" the words "the State"

Section 72

All words after "Chartered Accountants" up to the end of the section shall be repealed.

Section 74

In subsection (1) there shall be substituted for the words "eight hundred pounds per annum without the" the words "nine hundred pounds per annum, without the prior"

Section 77

For the words "Governor-General" where they twice occur there shall be substituted "Public Service Commission of the Federation"

Section 82

In subsection (4) there shall be substituted for "the Governor-General in Council" the word "Minister"

Section 83

In subsection (1) there shall be substituted for "Governor-General in Council" the words "Council of Ministers"

Section 90

In subsection (2) and in—

(a) paragraph (b) for the words "Governor-General" there shall be substituted the word "Minister", and

(b) paragraph (e) all words after "from any" up to "Council" shall be deleted and there shall be substituted the words "State lands set aside by the President of the Republic".

Section 92

In subsection (2) for the expression "Governor-General in Council" there shall be substituted the word "Minister"

SCHEDULE—continued

Section 93A

In subsection (5) for "Governor-General" there shall be substituted "Minister"

Section 94

In subsection (1) for the expression "Governor-General in Council" there shall be substituted "Council of Ministers"

Section 101

For the expression "Governor-General in Council" where it thrice occurs there shall be substituted the word "Minister"

Section 111

In subsection (1) for the word "irrevocable" there shall be substituted the word "irrecoverable"

Section 112

In subsection (1) there shall be inserted immediately following the words "financial year" the words ", or within such period as the Minister may prescribe in substitution therefor."

Section 115

For the expression "Governor-General in Council" where it twice occurs there shall be substituted "Council of Ministers"

Section 135

In subsection (2) in paragraph (b) all words after "occupied by" up to "discretion" shall be repealed and there shall be substituted "such officers of the diplomatic corps as the Council of Ministers"

Section 138

In subsection (2) for "Crown" there shall be substituted "State"

Section 140

In subsection (13) for the expression "Governor-General in Council" there shall be substituted the word "Minister"

Section 145

In subsection (1) for the expression "Governor-General in Council" there shall be substituted the word "Minister"

Section 163

In subsection (1) in paragraph (ii) (a) there shall be substituted for "Governor-General in Council" the words "President of the Federal Republic"

Section 172

In subsections (1) and (2) the words "Governor-General in Council or the" shall be repealed

Section 180

For the word "Crown" there shall be substituted the word "State"

SCHEDULE—continued

Section 182

For the expression "Governor-General in Council" where it twice occurs there shall be substituted the word "Minister"

Section 183

For the expression "Governor-General in Council" there shall be substituted the word "Minister"

Section 184 (as replaced by section one of the Lagos Local Government (Amendment) Act 1963)

In subsections (1) and (2) for the expression "Governor-General in Council" where it occurs there shall be substituted the word "Minister"

Section 187

In subsection (3) for the words "the Governor-General" there shall be substituted "Parliament"

First Schedule

(a) in Rule 11 for "Governor-General" there shall be substituted "Minister"

(b) in the Form A there shall be inserted below "Address" at the end of the form the word "Occupation....."

Second Schedule

In regulation 21 there shall be inserted a new paragraph as follows—

"(3) The ballot papers account prepared by the presiding officer shall also show the time when voting commenced and ended at his polling station."

(906)

THE SURVEY BILL

EXPLANATORY MEMORANDUM

The purpose of this Bill is to amend the Survey Act in order to enlarge the Surveyors Licensing Board by making provision for representations from the Regions and increasing the representation of surveyors in private practice, and also to abolish the power to license, as surveyors, persons who are not professionally qualified.

M. INUWA WADA,
Minister of Works and Surveys

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE SURVEYORS LICENSING BOARD AND THE QUALIFICATIONS REQUIRED FOR THE ISSUE OF A SURVEYOR'S LICENCE; AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

[

]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows :—

Alteration
of constitu-
tion of
Surveyors
Licensing
Board.
Cap. 194.

5 1.—(1) The Surveyors Licensing Board (hereafter in this section referred to as "the board") shall, instead of being constituted as provided by section three of the Survey Act, be constituted in accordance with the following provisions of this section; and accordingly the provisions of that section from the words "consisting of" onwards are hereby repealed.

10 (2) The board shall consist of the following members, that is to say,—

(a) the Director of Federal Surveys, who shall be the chairman of the board;

15 (b) the Surveyor-General of each Region or a licensed surveyor nominated by him; and

(c) three licensed surveyors of whom—

(i) two shall be appointed by such body as the Minister may designate as being in his opinion representative of licensed surveyors in Nigeria; and

20 (ii) the other shall be appointed by the Minister and shall be a person appearing to the Minister to be engaged in the training at a university or school of survey in Nigeria, of persons seeking to become surveyors.

(3) A person appointed as a member of the board by virtue of paragraph (c) above—

(a) may resign his office by notice in writing to the Minister;

(b) may be removed from office by the Minister for misbehaviour or for inability to perform the functions of his office;

(c) shall, unless he previously resigns or is removed from office, hold office for such period not exceeding three years as may be specified in his instrument of appointment; and

(d) shall, on ceasing to hold office, be eligible for re-appointment.

(4) The quorum of the board shall be three, and the validity of any proceedings of the board shall not be affected by any vacancy in the membership of the board or by any defect in the appointment of a member.

(5) For the avoidance of doubt it is hereby declared that any person (other than the Director of Federal Surveys) who is a member of the board immediately before the day when this Act comes into force shall cease to be such a member on that day.

(6) In this section "licensed surveyor" has the same meaning as in the Survey Act.

Abolition of
power to
license as
surveyors
persons
qualified
only by
experience
in public
depart-
ments.
Short title
and extent.

2. No surveyor's licence shall be granted after the commencement of this Act by virtue of paragraph (c) of section five of the Survey Act (which authorises the grant of such a licence in certain circumstances to a person who has completed fifteen years service as a surveyor in the survey department of the Federation or a Region); and accordingly the said paragraph (c) is hereby repealed.

3. This Act may be cited as the Survey Act, 1964, and shall apply throughout the Federation.

(684)

NEWSPAPERS (AMENDMENT) BILL

EXPLANATORY MEMORANDUM

This Bill seeks to bring the law relating to newspapers as printed or published in Lagos more into line with newspaper legislation in operation elsewhere in Nigeria.

Clause 4 seeks to provide for matters mentioned in section 25 of the Constitution of the Federation (which relates generally to freedom of expression) and to prescribe penalties in proper cases.

T. O. S. BENSON,
Minister of Information

ARRANGEMENT OF CLAUSES

Clauses

1. Nigerian newspapers to have offices in the Federal territory.
2. Appointment of editor to be notified to Minister.
3. Delivery of signed copy of newspaper by the editor.

4. Publication of certain statements, etc., an offence.
5. Publication of name, etc. of editor in newspaper.
6. Application of Act to editor of a government newspaper.
7. Short title, application, etc.

A BILL

FOR

AN ACT TO AMEND THE NEWSPAPERS ACT

[] Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows :—

- 5 1.—(1) The proprietor and every publisher of a newspaper printed or published as the case may be, in Nigeria elsewhere than in the Federal territory but circulating in the Federal territory shall, within two months from the commencement of this Act, or if the newspaper first circulates in the Federal territory after the said commencement then within two months of such first circulation, establish an office for such newspaper
- 10 in the Federal territory and give notice in writing of the fact to the Minister.

Nigerian newspapers to have offices in the Federal territory.

- 15 (2) Any other enactment to the contrary notwithstanding, it shall be sufficient service of any process or notice required to be served on the proprietor, publisher or editor of the newspaper if the process or notice is addressed to them or any particular one or more of them as the case may be, and is left at or sent by post to the office of the newspaper established in the Federal territory as prescribed by this section.

- 20 (3) The failure to comply with the requirement of subsection (1) of this section shall be an offence punishable on conviction by a fine of not less than twenty-five pounds or more than fifty pounds, or by imprisonment for a term of three months, or by both.

Appointment
of editor to
be notified
to Minister.
Cap. 129.

2.—(1) The proprietor of a newspaper published in the Federal territory shall appoint an editor to have general superintendence and control over all matters intended and suitable for publication in the newspaper, and section three of the Newspapers Act (in this Act hereafter referred to as "the principal Act") shall be amended so as to require the like affidavit to be made, signed and sworn by the editor as is prescribed for proprietors and others, and such affidavit shall thereafter be registered in the office of the Minister. The affidavit shall disclose the correct name and address of the editor, and if the affidavit prescribed under the aforesaid section was filed before the commencement of this Act and does not disclose information as to the editor, it shall to any extent necessary be replaced by a fresh affidavit made, signed, sworn and so registered within one month after the date of such commencement.

(2) The provisions of the foregoing subsection shall extend and apply to any person acting as editor for the purposes of the principal Act and this Act in the absence of the editor, so however that, if such absence is unlikely to exceed fourteen days, notice in writing of the correct name and address of the person acting may be given by the printer to the Minister, and such notice when given shall be deemed to be sufficient compliance with the requirements of section three of the principal Act.

(3) The failure to comply with the requirements of this section shall be an offence punishable on conviction by a fine of not less than twenty-five pounds or more than fifty pounds, or by imprisonment for a term of three months, or by both.

Delivery of
signed copy
of newspaper
by the
editor.

3.—(1) In addition to any other provision of the principal Act directing the delivery of signed copies of a newspaper, the editor shall himself sign and deliver or send to the Minister a copy of every newspaper and every supplement edited under his general supervision and control.

(2) If the editor is absent the person who, under what designation soever, then edits the newspaper shall be deemed to be acting in accordance with directions as to matters suitable for publication given by the editor; and such person shall be acting editor for the purposes of the principal Act and this Act, and shall sign and deliver to the Minister all copies of the newspaper and supplements (if any) published during the absence of the editor.

Publication
of certain
statements,
etc., an
offence.

4.—(1) Where any statement, rumour or report is published or reproduced in a newspaper by a person to whom this section applies and the statement, rumour or report is one which such person knows is, or suspects to be, false or such person publishes or reproduces it without regard being had as to its truth or falsity, and the statement, rumour or report—

(a) discloses or affects adversely any right, reputation or freedom of a person which is entitled to protection, or

(b) discloses confidential information, or

(c) attacks or is likely to jeopardise the authority and independence of the courts, or

(d) is or is likely to be prejudicial to the defence of Nigeria, or to the public safety, public order, public morality or public health thereof,

any such publication or reproduction shall be an offence punishable on conviction in the case of—

- (i) a corporation, by a fine of not less than five hundred pounds, or
(ii) any other person, by imprisonment for a term of not less than
5 twelve months or more than three years.

(2) For the purposes of this section, "person to whom this section applies" includes the proprietor, editor, printer, and publisher, either jointly or severally as the case may require, and any person acting in any such capacity, so however that where any such person is a corporation
10 the individual so to be affixed with knowledge as aforesaid, shall be the chairman of directors, or the managing director or, as the case may be, the person in control or apparent control of the operation or operations.

(3) No prosecution shall, without the consent of the Attorney-
15 General of the Federation, be commenced against any person to whom this section applies or, if commenced without such consent shall be continued, in respect of anything contained in a newspaper published or circulating in the Federal territory.

(4) If the publication or reproduction relates to any matter the
20 publication or reproduction of which is also an offence under any other Act and the penalty prescribed therein on a conviction is less than the penalty prescribed by this section, the penalty prescribed in subsection (1) of this section shall be substituted for any such penalty; but otherwise the penalty elsewhere prescribed shall prevail.

25 5. Section thirteen of the principal Act is amended by the insertion in subsection (1) immediately after the word "publisher" of the words "and of the editor in chief or editor, as the case may be".

6. In any Act other than the principal Act or this Act affixing the responsibility of, or conferring immunity on editors, the fact that a
30 newspaper is published in the Federal territory by or under the authority of the Government of the Federation or of a Region, as the case may be, shall be immaterial, and the definition of "newspaper" in section two of the principal Act shall be amended to the extent necessary to give effect to this section.

35 7.—(1) This Act may be cited as the Newspapers (Amendment) Act, 1964 and shall be read as one with the Newspapers Act.

(2) This Act shall apply to the Federal territory.

(919)

Publication of name, etc. of editor in newspaper.

Application of Act to editor of a government newspaper.

Short title, application, etc.
Cap. 129.

SUPREME COURT (AMENDMENT) BILL

EXPLANATORY MEMORANDUM

The object of this Bill is to make better provision for the order of precedence of Justices of the Supreme Court.

T. O. ELIAS,
*Attorney-General of the Federation
and Minister of Justice*

A BILL

FOR

AN ACT TO AMEND THE SUPREME COURT ACT 1960 BY PRESCRIBING THE PRECEDENCE OF THE JUSTICES.

[]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows :—

1. The Supreme Court Act, 1960 is amended by inserting immediately after section three a new section 3A as follows :—

Precedence
of the
Justices.

"3A. The Chief Justice shall take precedence of the other Justices of the Supreme Court, and the other Justices shall take precedence after the Chief Justice in accordance with the instructions of the President, acting on the advice of the Prime Minister."

2. This Act may be cited as the Supreme Court (Amendment) Act, 1964 and shall be read as one with the Supreme Court Act, 1960 and shall apply throughout the Federation.

Short title,
application,
etc.
No. 12 of
1960.

(920)

NATIONAL LIBRARY BILL

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of a National Library Board which will be responsible for the running of the National Library of Nigeria. At present the National Library is administered directly as part of my Ministry, but it has been found preferable that its control should be vested in a statutory body. This is the widely used practice in the running of a library of this nature.

The success of a National Library depends largely on the amount and quality of human effort invested in it. The Board will, by the very nature of its composition as contained in the Schedule to the Bill, make it possible for supervision of the general control of the National Library to be exercised by experienced persons from relevant walks of life.

It is hoped that the National Library will be one of the symbols of the Federation, and there is therefore adequate provision in the Bill for regional representation on the proposed National Library Board.

T. O. S. BENSON,
Federal Minister of Information

ARRANGEMENT OF CLAUSES

Clause

1. Establishment and functions of National Library Board.
2. The director of the library.
3. Powers of the board.
4. Financial provisions.

5. Annual reports, etc.
 6. Furnishing of publications by government departments.
 7. Short title, extent and commencement, etc.
- SCHEDULE—Supplementary provisions relating to the board.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A NATIONAL LIBRARY; AND FOR PURPOSES CONNECTED THEREWITH.

[See section 7 (2)]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows:—

- 1.—(1) There shall be established a body, to be known as the National Library Board (and hereafter in this Act referred to as "the board"), which shall be a body corporate by the name aforesaid and shall be charged with the general functions—

Establish-
ment and
functions of
National
Library
Board.

- (a) of establishing and maintaining, in accordance with the provisions of this Act, a central library for the benefit of members of the public and others; and

(b) of providing in accordance with those provisions such services as in the opinion of the board are usually provided by national libraries of the highest standing.

(2) For the purpose of carrying out the general functions imposed on the board by the foregoing subsection, it shall be the duty of the board, so far as its resources permit—

(a) to assemble, maintain and extend a collection of books, periodicals, pamphlets, newspapers, maps, musical scores, films and recordings and such other matter as the board considers appropriate for a library of the highest standing;

(b) to establish and maintain such branches of the library as the board considers expedient;

(c) to make the facilities of the library available to members of the public and others on proper terms (which may include provision for the payment of fees, for safeguarding the property of the board and for specifying the categories of persons who may be admitted to premises under the control of the board);

(d) to make such arrangements as the board considers appropriate with respect to—

(i) the exchange of matter included in the collection aforesaid;

(ii) the preparation and publication of catalogues, indices and similar aids; and

(iii) the provision of assistance to other persons in the organisation of libraries and with respect to the manner of using facilities under the control of libraries; and

(e) to make to the official in charge of any department of the government of the Federation by which a library is maintained for the purposes of the department recommendations with respect to the organisation of, and the use of facilities provided by, that library.

(3) The provisions of the Schedule to this Act shall have effect with respect to the constitution and procedure of the board and the other matters there mentioned.

The director
of the
library.

2.—(1) There shall be a director of the library (hereafter in this Act referred to as "the director") who, subject to the provisions of subsection (2) of this section, shall be appointed by the board and shall be a person appearing to the board to have shown exceptional capacity in the organisation and administration of a library and services comparable to those envisaged by this Act.

(2) A person shall not be appointed as the director unless his appointment is approved by the Minister.

(3) The director shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

(4) The director shall, subject to any instructions given in pursuance of subsection (5) of this section, have the general function of organising and managing the library and services provided in pursuance of this Act, and in particular the function of directing the activities of the officers and servants of the board.

(5) The board may give the director instructions with regard to the exercise of his functions, and it shall be the duty of the director to comply with the instructions.

3.—(1) Subject to the following provisions of this section, the board shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities. Powers of the board.

(2) Except with the approval of the Minister, the board shall not have power to borrow money or to dispose of any land or minerals.

(3) Subject to the provisions of the Schedule to this Act relating to travelling and subsistence allowances, no remuneration shall be paid by the board to any member of the board other than the director.

(4) The Minister may give the board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the board of its functions, and it shall be the duty of the board to comply with the directions.

4.—(1) The board shall submit to the Minister, not later than the thirty-first day of December of the year in which this Act comes into force and of each subsequent year, an estimate of its expenditure and income during the next succeeding financial year; and it shall be the duty of the director to prepare for the consideration of the board the estimates which in his opinion it would be appropriate for the board to submit to the Minister in pursuance of this subsection. Financial provisions.

(2) The board shall keep proper accounts in respect of each financial year and proper records in relation to those accounts, and shall cause its accounts to be audited as soon as may be after the end of the financial year to which the accounts relate by a firm of auditors approved, as respects that year, by the Minister of the government of the Federation responsible for finance.

(3) The Minister may, out of moneys provided by Parliament, make to the board either by way of grant or by way of loan payments of such amounts as Parliament may from time to time determine.

5.—(1) The board shall prepare and submit to the Minister, not later than the thirtieth day of May of the year next following that in which this Act comes into force and of each subsequent year, a report in such form as the Minister may direct on the activities of the board during the last preceding financial year, and shall include in the report a copy of the audited accounts of the board for that financial year and of the auditor's report on the accounts. Annual reports, etc.

(2) The Minister shall cause a copy of each report made to him under this section to be laid before each House of Parliament.

(3) For the purposes of the board's first report under this section, the last preceding financial year shall be deemed to include so much of any period before the beginning of that year as begins with the date of the first meeting of the board.

(4) Notwithstanding anything in subsection (4) of section three of this Act, the Minister may, by notice in writing served on the director, require the board to furnish the Minister with all information within its power relating to such matters connected with an activity of the board as may be specified by the notice; and it shall be the duty of the board to comply with the requirements of the notice.

Furnishing
of publica-
tions by
government
departments.

6. Where any printed matter (other than matter of such descriptions as the director may specify from time to time) is published by or on behalf of any department of the government of the Federation, it shall be the duty of the official in charge of the department to deliver forthwith to the director, for the purposes of the library maintained in pursuance of this Act, fifty copies of the publication or such smaller number of copies of the publication as the director may determine in any particular case.

Short title,
extent and
commence-
ment, etc.

7.—(1) This Act may be cited as the National Library Act, 1964, and shall apply to the Federal territory only.

(2) This Act shall come into force on such date as the Minister may by order appoint.

(3) In this Act, except where the context otherwise requires, "the Minister" means the Minister of the government of the Federation responsible for libraries.

SCHEDULE

Section 1.

Supplementary provisions relating to the board

Membership of the board

1.—(1) Subject to the provisions of this Schedule, the board shall consist of twelve members of whom one shall be the director and the others shall be appointed by the Minister and shall comprise—

(a) five persons who shall severally be persons appearing to the Minister to have wide experience of the functions of libraries in the following fields respectively, that is to say—

(i) newspapers, broadcasting and other media of mass communication ;

(ii) university education and research ;

(iii) education other than university education ;

(iv) law ;

(v) the activities of legislatures ;

(b) four persons who shall severally be persons appearing to the Minister, after consultation with such authorities of each Region as he considers appropriate in the case of each of those persons respectively, to have a wide knowledge of the requirements of that Region with respect to libraries ; and

(c) one person who shall be a person appearing to the Minister to have wide experience in the handling of financial problems connected with the provision of public services ; and

(d) one person who shall be a person appearing to the Minister to represent the interests of any body or association of librarians established in Nigeria.

(2) The Minister shall nominate one of the members of the board appointed by him to be the chairman of the board.

Tenure of office of members

2.—(1) Subject to the provisions of this paragraph, a member of the board shall hold office for the period of three years beginning—

(a) in the case of a member appointed to fill a vacancy which has not previously been filled, with the date of the commencement of this Act;

(b) in any other case, with the date next following that on which the term of office of his predecessor expires by the effluxion of time or, where the predecessor has previously vacated office, on which it would have so expired.

(2) With a view to securing the retirement in rotation of members of the board, the Minister may by order provide that the term of office of any four of the persons mentioned in paragraph (a) of the foregoing subparagraph shall be one year, and that the term of office of any other four of those persons shall be two years.

(3) Where a member ceases to hold office at a time when more than three months of his term of office remain unexpired, the Minister shall as soon as may be appoint a successor who shall, subject to the following provisions of this paragraph, hold office for the residue of that term.

(4) Without prejudice to the provisions of section eleven of the Interpretation Act, 1964 (which, among other things, provides for the removal of appointees by the persons who appointed them), a member of the board shall cease to hold office if he resigns his office by a notice in writing signed by him and served on the Minister.

1964, No. 1.

(5) A person who ceases to hold office as a member of the board (other than a person who, after less than one year in office, so ceases in pursuance of subparagraph (3) of this paragraph on the expiration of the residue of his predecessor's term) shall not be eligible for reappointment as a member during the period of three years beginning with the day on which he so ceases.

(6) References in the foregoing provisions of this paragraph to members of the board do not include references to the director.

Proceedings of the board

3. Subject to the provisions of this Act and of section twenty-six of the Interpretation Act, 1964 (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote), the board may make standing orders regulating the proceedings of the board or any committee thereof.

4. The quorum of the board shall be five, and the quorum of any committee of the board shall be determined by the board.

5.—(1) The board shall elect a member of the board to be the deputy-chairman of the board for such period as the board may determine, so however that a deputy-chairman who ceases to be a member shall cease to be deputy-chairman.

(2) At any time while the office of chairman is vacant or the chairman is in the opinion of the board permanently or temporarily unable to perform the functions of his office, the deputy-chairman shall perform those functions, and references in this Schedule to the chairman shall be construed accordingly.

6.—(1) Subject to the provisions of any standing orders of the board, the board shall meet whenever it is summoned by the chairman; and if the chairman is required so to do by notice given to him by not less than six other members, he shall summon a meeting of the board to be held within seven days from the date on which the notice is given.

(2) At any meeting of the board the chairman or in his absence the deputy-chairman shall preside, but if both are absent the members present at the meeting shall elect one of their number to preside at that meeting.

(3) Where the board desires to obtain the advice of any person on a particular matter, the board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the board and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the board shall be summoned by the Minister, who may give such directions as he thinks fit as to the member who shall preside and the procedure which shall be followed at that meeting.

Committees

7.—(1) The board may appoint one or more committees to carry out, on behalf of the board, such of its functions as the board may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the board, and not more than one-third of those persons may be persons who are not members of the board; and a person other than a member of the board shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

(3) A decision of a committee appointed under this paragraph shall be of no effect until it is confirmed by the board.

Officers and servants

8. Without prejudice to the generality of subsection (1) of section three of this Act but subject to the other provisions of that section, the board shall have power—

(a) to appoint such officers and servants as the board may determine;

(b) to pay to any member or any other person appointed to a committee of the board such travelling and subsistence allowances while on any business of the board as the board may determine;

(c) to pay to the director and to any officer or servant of the board such remuneration as the board may determine; and

(d) as regards the director and any officer or servant of the board in whose case it may determine to do so, to pay to or in respect of them such pensions and gratuities, or to provide and maintain for them such superannuation schemes (whether contributory or not), as the board may determine.

Miscellaneous

9.—(1) The fixing of the seal of the board shall be authenticated by the signature of the chairman or of some other member of the board authorised generally or specially by the board to act for that purpose.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the board by any person generally or specially authorised to act for that purpose by the board.

(3) Any document purporting to be a document duly executed under the seal of the board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

10. The validity of any proceedings of the board or a committee thereof shall not be affected by any vacancy in the membership of the board or committee, or by any defect in the appointment of a member of the board or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.

11. Any member of the board, and any person holding office on a committee of the board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the board or a committee thereof shall forthwith disclose his interest to the board and shall not vote on any question relating to the contract or arrangement.

NIGERIAN RESEARCH INSTITUTES BILL

EXPLANATORY MEMORANDUM

The objects of this Bill are firstly, to set up institutes to undertake research on cocoa, coffee, cola, oil palm, rubber and trypanosomiasis (otherwise known as sleeping sickness affecting cattle and human beings), and secondly, to wind up certain extra-territorial institutes established years ago to function in Nigeria and certain other West African countries.

The Bill makes provision for the transfer of the assets, responsibilities and operations of each of the former West African Research Institutes in Nigeria to the appropriate new institute.

WAZIRI IBRAHIM,
Minister of Economic Development

ARRANGEMENT OF CLAUSES

Clause

1. Establishment and functions of research institutes.
2. Management of affairs of institutes.
3. Financial provisions.
4. Compulsory acquisition of land for institutes.

5. Application of Pensions Act to employment in the service of institutes etc.
6. Annual report.
7. Regulations.
8. Winding up of existing research institutes and their committees.
9. Short title, extent, commencement and interpretation.

SCHEDULE—Constitutions etc. of the councils.

A BILL

FOR

AN ACT TO ESTABLISH RESEARCH INSTITUTES IN RESPECT OF COCOA, COFFEE AND COLA, IN RESPECT OF THE OIL PALM, IN RESPECT OF RUBBER, AND IN RESPECT OF TRYPANOSOMIASIS; TO PROVIDE FOR THE TRANSFER TO THOSE INSTITUTES OF CERTAIN ASSETS AND LIABILITIES OF EXISTING BODIES (IF ANY) ESTABLISHED FOR SIMILAR PURPOSES AND FOR THE WINDING UP OF THOSE BODIES; AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

[See section 9 (2)]

Commence-
ment.

BE IT ENACTED by the Legislature of the Federation of Nigeria in this present Parliament assembled and by the authority of the same as follows:—

1—(1) There shall be established four bodies corporate by the following names, that is to say—

Establish-
ment and
functions
of research
institutes.

- (a) the Cocoa Research Institute of Nigeria;
- (b) the Nigerian Institute for Oil Palm Research;
- (c) the Rubber Research Institute of Nigeria; and
- (d) the Nigerian Institute for Trypanosomiasis Research,

10 which bodies are hereafter in this Act referred to collectively as "the institutes" and severally as "the Cocoa Institute", "the Oil Palm Institute", "the Rubber Institute" and "the Trypanosomiasis Institute" respectively.

(2) The institutes shall be charged with the general duty of undertaking research into and providing information and advice relating to—

- (a) the production and products of cocoa, coffee and cola in the case of the Cocoa Institute;
- (b) the production and products of oil palm and of such other palms as the Minister may determine in the case of the Oil Palm Institute;
- 20 (c) the production and products of rubber; and
- (d) trypanosomiasis in the case of the Trypanosomiasis Institute.

(3) subject to the following provisions of this section, each of the institutes shall have power to do anything which, in the opinion of the institute, is calculated to facilitate the carrying on of the activities of the
25 institute.

(4) Except with the prior approval in writing of the Minister, an institute shall not have power—

- (a) to incur expenditure outside approved estimates under this Act; or
- 30 (b) to borrow money.

(5) The Minister may from time to time give to an institute directions of a general nature in writing with respect to the performance of its functions; and it shall be the duty of the institute to comply with the directions.

Manage-
ment of
affairs of
institutes.

2.—(1) There shall be established for each institute a governing council (hereafter in this Act referred to, in relation to the relevant institute, as "the council"), and the provisions of the Schedule to this Act shall have effect, so far as applicable, with respect to the constitutions of the councils and the other matters there mentioned.

(2) The affairs of each institute shall be managed by the council, and references in this Act to the institutes shall be construed accordingly; and without prejudice to the generality of the foregoing provisions of this subsection—

(a) anything falling to be done by or to an institute shall be done by or to the council on behalf of the institute, or by or to such person acting as the representative of the council as the council may determine; and

(b) in particular, any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the institute by any person generally or specially authorised to act for that purpose by the council.

(3) It shall be the duty of the council of each institute—

(a) to prepare a programme of research within the field for which that institute is responsible for such periods of not less than three years as the board may, with the approval of the Minister determine, together with detailed estimates of the expenditure which will be required to carry out the programme;

(b) each year to review, and if necessary revise, the programme approved under paragraph (a) for the following year, together with the estimates of expenditure for that year;

(c) to submit the programmes and estimates of expenditure, and any annual revisions, for approval by the Minister;

(d) to carry out the programmes of research approved by the Minister.

(4) There shall be a director for each institute, who shall be appointed by the Minister on the advice of the council and shall be a person with wide experience of the matters with which the relevant institute is concerned; and the director shall—

(a) be charged with the day to day management of the affairs of the institute in accordance with such instructions as may from time to time be given to him by the council; and

(b) hold office, subject to the provisions of section five of this Act, in accordance with the terms of the instrument by which he is appointed (including terms as to the payment of his remuneration by the council).

Financial
provisions.

3.—(1) Each of the institutes shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by the institute.

(2) There shall be paid or credited to the fund—

(a) such sums out of moneys provided by Parliament as Parliament may from time to time determine;

(b) in the case of any institute other than the Trypanosomiasis Institute, such sums out of moneys to be provided by the legislature of each Region or by the appropriate statutory agency of each Region, in accordance with a formula agreed by the several governments and the government of the Federation ;

(c) such assets of the relevant institute and committee mentioned in section eight of this Act as are transferred to the institute in pursuance of that section; and

(d) all other assets from time to time accruing to the institute.

(3) The fund shall be managed in accordance with rules made by the Minister and the Minister of the government of the Federation responsible for finance, acting jointly ; and, without prejudice to the generality of the power to make rules conferred by this subsection, the rules shall in particular include provision—

(a) specifying the manner in which the assets of the fund are to be held and regulating the making of payments to and from the fund ;

(b) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified by the rules ;

(c) for securing that the accounts are audited periodically by an auditor appointed by the Ministers aforesaid, acting jointly ;

(d) requiring copies of the accounts and of the auditor's report on them to be furnished to the Minister as soon as may be after the end of the period to which the accounts relate ; and

(e) requiring the Minister to lay before each House of Parliament copies of all accounts and reports received by him in pursuance of the last foregoing paragraph and, in the case of accounts or reports relating to the Cocoa Institute, the Oil Palm Institute, or the Rubber Institute, to send a copy to the Governor of each Region .

4.—(1) For the purposes of the Public Lands Acquisition Act, the purposes of each of the institutes shall be public purposes of the Federation within the meaning of that Act.

(2) The Chief Federal Land Officer may, by an instrument under his hand and seal, vest in the relevant institute any property acquired by the President by virtue of subsection (1) of this section ; and the institute shall pay to the Minister of the government of the Federation responsible for finance a sum equal to the aggregate amount of any expenses (including compensation) incurred on behalf of the President by virtue of the said subsection in respect of any property vested in the institute by such an instrument.

5.—(1) The Minister of the government of the Federation responsible for pensions may by order declare that the office of the director of an institute or of any person employed by an institute shall be a pensionable office for the purposes of the Pensions Act ; and any order made under an enactment repealed by virtue of this Act declaring that an office under an institute or committee abolished by virtue of this Act is a pensionable office for the purposes of that Act, or of pensions enactments superseded by that Act, shall be deemed to have been duly made in pursuance of this subsection, with effect from the date (if any) specified by the order, in respect of any corresponding office in the service of an institute established by this Act.

Compulsory acquisition of land for institutes.
Cap. 167.

Application of Pensions Act to employment in the service of

(2) The Pensions Act shall, in its application by virtue of the foregoing subsection to any office, have effect as if—

(a) the office were an office in the public service of the Federation within the meaning of the Constitution of the Federation ;

(b) the references to the Minister of the government of the Federation responsible for pensions in paragraph (1) of section seven of that Act were references—

(i) in the case of the office of director of an institute, to the Minister ; and

(ii) in any other case, to the council of the relevant institute ; and

(c) section nine of that Act (which relates to compulsory retirement) were omitted.

(3) Nothing in the foregoing provisions of this section shall prevent the appointment of a person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

(4) So much of section seven of the Pensions Act as prevents the grant of benefits under that Act in respect of a person retiring before a specified age shall not apply in relation to the retirement of an expatriate officer within the meaning of that Act who—

(a) retires, either before or after the commencement of this Act, from an office which was or is a pensionable office by virtue of any such order as is mentioned in subsection (1) of this section ; and

(b) held, on or before the first day of October, nineteen hundred and sixty-two, any such office as is mentioned in paragraph (a) of this subsection.

Annual
report.

6. It shall be the duty of each of the institutes to furnish to the Minister, as soon as may be after the end of each year, a report on the activities of the institute during that year ; and the Minister shall—

(a) lay before each House of Parliament a copy of each report received by him in pursuance of this section ; and

(b) send a copy of each report to the Governor of each Region.

Regulations.

7.—(1) The council of each institute may make regulations generally for its purposes under this Act ; and without prejudice to the generality of the foregoing, regulations may provide for the disciplinary control over the staff of the institute concerned.

(2) Regulations made under the foregoing subsection shall not have effect until they are approved by the Minister and have thereafter been published in the gazette.

Winding up
of existing
research
institutes and
their com-
mittees.
Caps. 218
and 219.

8.—(1) The Minister shall by order provide for—

(a) the winding up of the affairs of the institutes and committees established by the West African Institute for Oil Palm Research Act and the West African Institute for Trypanosomiasis Research Act respectively ; and

(b) the winding up as respects Nigeria of the affairs of the institute and committee regulated by the West African Cocoa Research Institute (Nigerian Status) Act, 1950 ;

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1950.

and for the transfer of the assets and liabilities of each such institute and committee as aforesaid to the corresponding institute established by this Act; but nothing in this subsection shall be construed as affecting the assets or liabilities of the institute or committee regulated by the said Act of 1950 except to the extent that they arise within Nigeria or by reason of activities carried on, or formerly carried on within Nigeria.

(2) An order made in pursuance of subsection (1) of this section may contain such incidental and supplementary provisions as the Minister considers expedient for the purposes of the order.

(3) When it appears to the Minister that the affairs of any institute mentioned in paragraph (a) or (b) of subsection (1) of this section, and its committee have been wound up, he shall by order declare the institute and committee to be dissolved on such day as may be specified by the order; and the order—

(a) shall include provision repealing on that day the enactments mentioned in subsection (1) of this section so far as they relate to the institute and committee dissolved by the order; and

(b) may include provision repealing or modifying any other enactment relating to that institute or committee to such extent as the Minister considers expedient in consequence of any other provision made by an order under this section.

9.—(1) This Act may be cited as the Nigerian Research Institutes Act, 1964, and shall apply throughout the Federation.

Short title,
extent, com-
mencement
and interpre-
tation.

(2) This Act shall come into force on such day as the Minister may by order appoint, and a different day may be appointed in pursuance of this subsection in relation to each of the institutes.

(3) In this Act "the Minister" means—

(a) in relation to institutes other than the Trypanosomiasis Institute, the Minister of the government of the Federation responsible for agricultural research; and

(b) in relation to the Trypanosomiasis Institute, the Minister of the government of the Federation responsible for veterinary research.

Section 2

SCHEDULE

Constitutions etc. of the councils

Membership of the councils

1.—(1) Subject to the provisions of this Schedule, the council of the Cocoa Institute shall consist of eleven members and comprise—

- (a) two persons appointed by the Minister.
- (b) the director of the institute;
- (c) five persons appointed by the Government of Western Nigeria;
- (d) one person appointed by the Government of Eastern Nigeria;
- (e) one person appointed by the Government of Northern Nigeria;
- (f) one person appointed by the Government of Mid-Western Nigeria;

(2) Subject to the provisions of this Schedule, the council of the Oil Palm Institute shall consist of ten members and comprise—

- (a) two persons appointed by the Minister.
- (b) the director of the institute;
- (c) one person appointed by the Government of Western Nigeria;
- (d) four persons appointed by the Government of Eastern Nigeria;
- (e) one person appointed by the Government of Northern Nigeria;
- (f) one person appointed by the Government of Mid-Western Nigeria.

(3) Subject to the provisions of this Schedule, the council of the Rubber Institute shall consist of ten members and comprise—

- (a) two persons appointed by the Minister.
- (b) the director of the institute;
- (c) one person appointed by the Government of Western Nigeria;
- (d) one person appointed by the Government of Eastern Nigeria;
- (e) one person appointed by the Government of Northern Nigeria;
- (f) four persons appointed by the Government of Mid-Western Nigeria.

(4) Subject to the provisions of this Schedule, the council of the Trypanosomiasis Institute shall consist of eleven members and comprise—

- (a) five persons appointed by the Minister.
- (b) the director of the institute;
- (c) one person appointed by the Government of Western Nigeria;
- (d) one person appointed by the Government of Eastern Nigeria;
- (e) two persons appointed by the Government of Northern Nigeria;
- (f) one person appointed by the Government of Mid-Western Nigeria.

(5) If the Minister responsible for a particular institute is satisfied that persons who are not members ought, by reason of their experience or professional competence to be admitted to membership he may, by notice in the Gazette, appoint as additional members not more than five persons so qualified; and any person so appointed under this sub-paragraph may attend all meetings and take part in any deliberations of the council, but shall not be entitled to vote thereat.

Tenure of office of members

2.—(1) Subject to the provisions of this paragraph, a member of a council shall hold office for the period of five years beginning—

(a) in the case of a member appointed to fill a vacancy which has not previously been filled, with the day when this Act comes into force as respects the relevant institute ;

(b) in any other case, with the day next following that on which the term of office of his predecessor expires by the effluxion of time or, where the predecessor has previously vacated office, on which it would have so expired.

(2) With a view to securing the retirement in rotation of members appointed as additional members of each council, the Minister may by order provide that the term of office of any three of such members shall be such shorter period as the Minister may from time to time approve, but not less in any particular case than three years.

(3) Where a member ceases to hold office at a time when more than three months of his term of office remain unexpired, the authority who appointed him shall as soon as may be appoint a successor who shall, subject to the following provisions of this paragraph, hold office for the residue of that term.

(4) Without prejudice to the provisions of section eleven of the Interpretation Act, 1964 (which, among other things, provides for the removal of appointees by the persons who appointed them), a member of the council shall cease to hold office if he resigns his office by a notice in writing signed by him and served on the Minister.

1964, Na. 1.

(5) A person who ceases to hold office as a member of a council shall be eligible for reappointment as such a member.

(6) References in the foregoing provisions of this paragraph to members of a council do not include references to the director of the relevant institute.

Proceedings of councils

3. Subject to the provisions of this Act and of section twenty-six of the Interpretation Act, 1964 (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote), each council may make standing orders regulating the proceedings of the council or any committee thereof.

4. The quorum of the council shall be five provided that at the meeting there are at least two members present to represent other governments on the council ; and the quorum of any committee of a council shall be determined by the council.

5.—(1) The Minister after consultation with the Regional Governments shall appoint the chairman of a council from among its members and every council of its own motion shall elect some other member to be the deputy chairman of the council ; so however that notwithstanding the period for which the appointment or election is to have effect, if a chairman or deputy chairman ceases to be a member of the council he shall cease to hold the office to which he was so appointed or elected as the case may be.

(2) At any time while the office of chairman is vacant or the chairman is in the opinion of the council permanently or temporarily unable to perform the functions of his office, the deputy-chairman shall perform those functions, and references in this Schedule to the chairman shall be construed accordingly.

6.—(1) Subject to the provisions of its standing orders, a council shall meet whenever it is summoned by the chairman; and if the chairman is required so to do by notice given to him by not less than four members of the council he shall summon a meeting of the council to be held within twenty-eight days from the date on which the notice is given. If the chairman fails to summon any meeting when so required, the Minister in his discretion may exercise such power.

(2) At any meeting of a council the chairman or in his absence the deputy-chairman shall preside, but if both are absent the members present at the meeting shall elect one of their number to preside at that meeting.

(3) Where a council desires to obtain the advice of any person on a particular matter the council may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the council and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of each council shall be summoned by the Minister, who may give such directions as he thinks fit as to the member who shall preside and the procedure which shall be followed at that meeting.

Committees

7.—(1) Each council may appoint one or more committees to carry out, on behalf of the council, such of its functions as the council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the council, and a person other than a member of the council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

(3) A decision of a committee appointed under this paragraph shall be of no effect until it is confirmed by the council.

Officers and servants

8. Without prejudice to the generality of subsection (3) of section one of this Act but subject to subsections (4) and (5) of that section, each council shall have power—

(a) to appoint such officers and servants of the institute as the council may determine; and

(b) to pay to any officers and servants of the institute such remuneration as the council may determine.

Miscellaneous

9. Standing orders made by a council may provide for the payment to any member of the council or other person appointed to a committee of the council of such travelling and subsistence allowances in respect of any periods spent on the business of the council as the council may determine; but, notwithstanding anything in section one of this Act, no other remuneration shall be paid by the council to any such member or other person.

*10.—(1) The fixing of the seal of each institute shall be authenticated by the signature of the director or of some other member of the council authorised generally or specially by the council to act for that purpose.

(2) Any document purporting to be a document duly executed under the seal of an institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

11. The validity of any proceedings of a council or a committee thereof shall not be affected by any vacancy in the membership of the council or committee, or by any defect in the appointment of a member of the council or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.

12. Any member of a council or of a committee of a council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the council or a committee thereof shall forthwith disclose his interest to the council and shall not vote on any question relating to the contract or arrangement.