

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

VALIDATION OF MARRIAGES (NORTHERN NIGERIA) BILL

EXPLANATORY MEMORANDUM

Doubts have arisen in Northern Nigeria as to the validity of marriages celebrated there under the Marriage Act, as from 1961 due to changes in the titles of certain public officers and other causes.

The purpose of this Bill is to resolve the doubts by declaring the marriages concerned to be valid.

SHEHU SHAGARI,
Minister of Internal Affairs

A BILL

FOR

AN ACT TO VALIDATE CERTAIN MARRIAGES IN NORTHERN NIGERIA AND FOR CONNECTED MATTERS.

[]

Commence-
ment.

WHEREAS due to changes in the titles of certain public officers and for other causes during the period hereafter mentioned doubts have arisen as to the validity of certain marriages purporting to have been celebrated in Northern Nigeria and it is expedient and necessary to resolve such doubts :

BE IT THEREFORE 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 order to remove all doubts as to the validity of marriages purporting to have been celebrated under the Marriage Act in Northern Nigeria between the 1st day of January, 1961 and the date of the coming into force of this Act due to changes in the titles of certain public officers and for other causes it is hereby declared that each of such marriages shall be and be deemed always as valid as it would be if—

Validation
of certain
marriages in
Northern
Nigeria.
Cap. 115.

(a) the certificate of notice of the marriage or the grant of the licence to marry, as the case may be, issued or granted under section 11 or 13 respectively of that Act in respect of each marriage was issued or granted by the proper person having authority to issue such certificate or to grant such licence ; and

(b) in the relevant cases, the public officer who celebrated the marriage was the proper registrar of marriages to celebrate it ; and

(c) the office or the place of public worship, as the case may be, in which the marriage was celebrated was the place in which it could legally be celebrated.

2. The certificates in respect of such marriages and entries thereof in any marriage register book or copies of such certificates or entries shall be received in all courts as evidence of such marriages to the same extent as similar certificates, entries or copies in the case of marriages duly celebrated under the Marriage Act are by law receivable in evidence.

Certificates
etc. to be
evidence.

3.—(1) This Act may be cited as the Marriages in Northern Nigeria (Validation) Act 1965, and shall apply throughout the Federation.

Short title,
extent and
commence-
ment.

(2) This Act shall come into force on a date to be appointed by the Minister by notice in the Federal Gazette.

EXTERNAL LOANS (AMENDMENT) BILL 1965

EXPLANATORY MEMORANDUM

The purpose of this Bill is to widen the scope of the External Loans Act 1962 by enabling the Minister to raise loans outside Nigeria without giving securities in the form of promissory notes as required by the Government Promissory Notes Act 1960.

F. S. OKOTIE-BOH,
Minister of Finance

A BILL

FOR

AN ACT TO AMEND THE EXTERNAL LOANS ACT 1962.

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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. In section 1 (1) of the External Loans Act 1962 (which provides for the raising of loans outside Nigeria in any manner authorised by the General Loan and Stock Act or the Government Promissory Notes Act 1960) after the word "1960" there shall be inserted the words "or in any other manner authorised (whether generally or in respect of any particular loan) by the President,".
- 10 2.—(1) This Act may be cited as the External Loans (Amendment) Act 1965.
- (2) This Act shall be deemed to have come into force on the 12th day of May, 1962.
- (3) This Act shall apply throughout the Federation.

Amendment
of External
Loans Act
1962.
1962, No. 9.
Cap. 74.
1960, No. 6.

Citation,
commence-
ment and
application.

CUSTOMS AND EXCISE MANAGEMENT (AMENDMENT)
BILL 1965

C 285

EXPLANATORY MEMORANDUM

The purpose of this Bill is to confer, in respect of offences under the Customs and Excise Laws, power—

- (i) to retain for record purposes and subsequent use, measurements, photographs, or fingerprint impression of persons in lawful custody; and
- (ii) on a prosecutor to appeal to a superior court against any decision of a court of summary jurisdiction.

T. O. ELIAS,
Minister of Justice

A BILL

FOR

AN ACT TO AMEND THE CUSTOMS AND EXCISE MANAGEMENT ACT 1958 BY MAKING PROVISION IN CERTAIN CASES FOR THE RETENTION OF RECORDS BY THE POLICE : AND FOR THE AVOIDANCE OF DOUBT AS TO THE EXERCISE OF THE RIGHT OF APPEAL BY A PROSECUTOR IN PARTICULAR CASES.

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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) Where a person suspected of fraudulently evading payment
of duty due on any goods or evading a prohibition in respect thereto is
detained for any period not exceeding twenty-four hours by an officer
in exercise of his powers under section 8 of the principal Act and pro-
ceedings, whether or not a charge is preferred in respect thereof, are
thereupon or thereafter compounded under the provisions of the
10 principal Act, any measurements, photographs, or fingerprint impres-
sion taken under the authority of the Police Act during any such
detention may be retained and kept in the custody of the police.

Power to
retain
measure-
ments etc.
taken during
detention in
certain cases.
No. 55 of
1958.
Cap. 154.

15 (2) Accordingly, section 26 (1) of the Police Act shall in any such
case be read and construed as if the proviso of that section (which
requires in certain cases the disposal of measurements etc. so taken)
had been omitted, so however that measurements, photographs or
fingerprint impressions retained under the powers conferred by the
foregoing section shall not be received in evidence without the consent
of the judge or magistrate hearing the case, in any prosecution of a person
20 for an offence thereafter committed otherwise than under the principal
Act.

25 2. It is declared for the avoidance of doubt that, without prejudice
to any right to require the statement of a case for the opinion of a
superior court, a prosecutor may appeal to a superior court against any
decision of a court of summary jurisdiction in proceedings for an
offence under the customs or excise laws; and section 162 of the principal
Act (which prescribes sundry incidental provisions as to legal proceedings)
shall be amended to the extent necessary, and the principal Act shall
have effect accordingly.

Appeals by
prosecutor
from court of
summary
jurisdiction.

Short-title,
citation and
application.

3.—(1) This Act may be cited as the Customs and Excise Management (Amendment) Act 1965, and shall be read as one with the Customs and Excise Management Act 1958 (in this Act referred to as “the principal Act”).

(2) This Act shall apply throughout the Federation.

THE CHILDREN AND YOUNG PERSONS
(AMENDMENT) BILL

EXPLANATORY MEMORANDUM

The object of this Bill is to amend certain sections of the Children and Young Persons Act Cap. 32 of the Laws of Nigeria, 1958 with a view to providing for the security of children whose welfare has been threatened by contentions or quarrels between parents and for the maintenance of children in custody after the death of the persons liable to contribute towards their maintenance.

Under section 26 of the Children and Young Persons Act, a juvenile court may commit a child or young person brought before it to the care of any fit person whether a relative or not, who is willing to do so. There is, however, no provision to ensure the proper custody of a child or young person whose welfare has been endangered by quarrels between the parents. Many cases of this type have come to notice and it is now proposed to make necessary provisions to cover it.

The juvenile Court has power under section 28 of the Act to make an order binding any person named to make a contribution towards the maintenance of a child or young person committed to an approved institution or to the care of an individual. But the law has not provided for the continuance of this payment on the death of the person liable. The proposed amendment will empower the Juvenile Court to order a fit person against whom the original order could have been made to continue this contribution.

The final object of this amendment is to make it clear that the amount (not exceeding four pounds) payable under section 28 is in respect of each child under custody.

J. C. OBANDE,
Federal Minister of Labour

Federal Ministry of Labour,
Lagos, 9th February, 1965.

Continuation of contribution under Cap. 32, section 28.

2.—(1) Where a juvenile court has made an order for contribution pursuant to section 28(1) of the Children and Young Persons Act (which enables the court in certain cases to make an order for contribution against a person towards the maintenance of a young person) and the person against whom such an order has been made subsequently dies, the juvenile court may, upon application by a probation officer, and where the court thinks it reasonable so to do, order the making of that contribution to be continued by any other person falling within section 28(2) of that Act against whom the original order could have been made by reason of his neglect.

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Provided that that other person is a person against whom the original order could have been made by reason of his neglect.

(2) An order made under the foregoing subsection shall be deemed for all purposes to be an order under section 28 of the Children and Young Persons Act and shall have effect accordingly.

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Explanation of Cap. 32, s. 28.

3. For the removal of doubt it is hereby declared that the limitation on the amount of contributions imposed by section 28(2) of the Children and Young Persons Act (which enables orders to be made requiring the payment by certain persons of monthly contributions not exceeding four pounds in respect of a child or young person committed to an approved institution or to the care of another person) is a limitation on the amount of contributions which a particular person may be required to pay in respect of a particular child or young person and not a limitation on the aggregate amount of the contributions which a particular person may be ordered to make in pursuance of that section ; and accordingly at the end of said section there shall be inserted the words "in respect of a particular child or young person".

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Short title, extent and construction.

4.—(1) This Act may be cited as the Children and Young Persons (Amendment) Act 1964, and shall apply to the Federal territory only.

(2) This Act shall be construed as one with the Children and Young Persons Act.

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