

Supplement to Official Gazette Extraordinary No. 22, Vol. 57, 21st April,
1970—Part B

L.N 43 of 1970

CUSTOMS AND EXCISE MANAGEMENT ACT 1958

(No. 55 OF 1958)

Imports Prohibition (No. 2) Order 1970

Commencement : 20th April 1970

In exercise of the powers conferred by section 22 of the Customs and Excise Management Act 1958, and of all other powers enabling me in that behalf, I, the Federal Commissioner for Finance, hereby make the following Order :—

1. The importation of the goods specified in Schedule 1 to this Order is prohibited.

Prohibition
of importation
of certain
goods.

2. The importation of the goods specified in Column 1 of Schedule 2 to this Order is prohibited except as provided in Column 2 of the said Schedule.

Restriction
of importation
of certain
goods.

3.—(1) In this section—

Import
licensing.

“Import Licensing Authority” means such persons as may be designated by the Commissioner responsible for matters relating to trade, by notification in the *Gazette*, from amongst the officers appointed to carry out duties in relation to trade in the Federation or such other person or persons as that Authority may from time to time, by notice in the *Gazette*, appoint to act on his behalf.

“Licence” means either—

(a) a general licence notified in the *Gazette* authorising importers generally to import goods of the description specified in such licence ; or

(b) a specific licence granted to an importer authorising him to import from a territory or territories specified in the licence goods of a description and quantity so specified ; or

(c) a special licence granted to an importer authorising him to import goods generally or with specified exceptions from a territory or territories specified in the licence.

(2) Subject to sections 1 and 2 above, the importation of all goods (other than goods of a description specified in Schedule 3 to this Order) is prohibited except under a licence granted by the Import Licensing Authority and subject to such terms and conditions as may be specified in such licence.

(3) All licences granted under the provisions of the Imports Prohibition Order 1959 in force immediately before the 20th day of April 1970, shall be deemed to have been granted by the Import Licensing Authority under the provisions of this section, and shall, unless sooner revoked by virtue of the power contained in subsection (4) of this section, remain in force during the period of validity specified therein.

L.N. 81 of
1959.

(4) The Import Licensing Authority may—

(a) refuse to grant a licence without assigning any reason for such refusal ;

(b) at any time revoke or modify any licence granted or deemed to have been granted under this section.

(5) The Import Licensing Authority may, by notice in the Gazette, give directions relating to the grant of special licences, and in particular and without prejudice to the generality of this provision, such direction may provide for—

- (a) the form and manner in which applications shall be made ;
- (b) the information to be furnished with such applications ;
- (c) the form and duration of licences.

Revocation,
etc.
L.N. 40 of
1970.

4.—(1) The Imports Prohibition Order 1970 shall be deemed never to have been made and shall have no effect whatsoever.

(2) The Imports Prohibition Orders set out in Schedule 4 of this Order are hereby revoked.

Citation and
commence-
ment.

5. This Order may be cited as the Imports Prohibition (No. 2) Order 1970 and shall come into operation on 20th April 1970.

SCHEDULE 1

Section 1

GOODS ABSOLUTELY PROHIBITED FROM BEING IMPORTED

1. AIR PISTOLS.
2. AIRMAIL PHOTOGRAPHIC PRINTING PAPER.
3. BASKETWORK, WICKERWORK and other articles of plaiting materials, made directly to shape ; articles made up from goods falling within Tariff heading No. 46.01 or 46.02 in the Custom Tariff Act 1965.
4. BASE OR COUNTERFEIT COIN of any country.
5. BEADS composed of inflammable celluloid or other similar substances.
6. BEADS and SPANGLES, of base metal.
7. BREAD SHIPS' BISCUITS and other ordinary bakers' wares, not containing sugar, honey, eggs, fats, cheese or fruit.
8. BOX FILES, LETTER TRAYS, STORAGE BOXES and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like.
9. ALL BRUSHWARE other than nylon tooth brushes manufactured in or exported from the empire of Japan and whether they are exported direct to Nigeria or elsewhere.
10. CORRUGATED ROOFING SHEETS AND RIDGING PLATES of a thickness less than 3 mm, of iron, or steel.
11. COUPONS, for foreign football pools or other betting arrangements.
12. SECONDHAND CLOTHING of all materials, imported in bulk.
13. COWRIES.
14. EXHAUSTED TEA or tea mixed with other substances. For the purpose of this item "exhausted tea" means any tea which has been deprived of its proper quality, strength or virtue by steeping, infusion, decoction or other means.

SCHEDULE 1—*continued*

15. **FUR CLOTHING** that is, furskins, raw, tanned or dressed (including pieces or cuttings of tanned or dressed furskin, heads, paws, tails and the like) and artificial fur, articles of furskin or artificial fur.
16. **IMPLEMENTS** appertaining to the reloading of cartridges.
17. **INDECENT OR OBSCENE PRINTS**, paintings, books, cards, engravings or any indecent or obscene articles.
18. **LIVE POULTRY**, that is, fowls, ducks, geese, turkeys and guinea fowls (excluding **DAY-OLD CHICKS**).
19. **MANILLAS**.
20. **MARGARINE, IMITATION LARD** and other prepared edible fats.
21. **MATCHES** made with white phosphorus.
22. **MATERIALS** of any description with a design which, considering the purpose for which the material is intended to be used, is likely in the opinion of the Commissioner to create a breach of the peace or to offend the religious views of any class of persons in Nigeria.
23. **MEAT**, vegetables or other provisions declared by a health officer unfit for human food.
24. **PISTOLS** disguised in any form whatsoever.
25. **TEXTILE PIECE GOODS**, and all other **TEXTILES** including weaving apparels, hardware of all kinds, crockery and china, or earthenware goods, bearing inscriptions (whether in Roman or Arabic character) from the Koran or from the Traditions and Commentaries on the Koran.
26. Other made-up **TEXTILE ARTICLES** (including dress patterns).
27. Other waste materials from **TEXTILE FABRICS** (including rags).
28. Other **PRINTED MATTER**, including printed pictures and photographs.
29. **STATUETTES** and other ornaments of a kind used indoors, of base metal.
30. **STONE, SAND, GRAVELS**.
31. **Household UTENSILS** of **WOOD**.
32. **VEGETABLE ROOTS AND TUBERS**—Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced ; sago pith.
33. **WALKING-STICKS** (including climbing-sticks and seat-sticks), canes, whips, riding crops and the like.
34. **WOOD** in the rough, roughly squared or half squared, but not further manufactured.
35. **Worked MONUMENTAL OR BUILDING STONE** (including road and paving setts, curbs and flagstones) and articles thereof (including articles of agglomerated slate and mosaic cubes), other than good falling within Chapter 69 of Schedule 1 to the Customs Tariff Act 1965, **TILES** excluding.
36. **SILVER OR METAL ALLOY COINS** not being legal tender in Nigeria ;

SCHEDULE 1—continued

37. SPIRITS :—

(1) other than—

(a) alcoholic bitters, liqueurs, cordials and mixtures admitted as such in its absolute discretion by the Board and which are not deemed to be injurious spirits within the meaning of the Liquor Act ;

(b) brandy, *i.e.*, a spirit—

(i) distilled in grape-growing countries from fermented grape juice and from no other materials ; and

(ii) stored in wood for a period of three years ;

(c) drugs and medicinal spirits admitted as such in its absolute discretion by the Board ;

(d) gin, *i.e.*, a spirit—

(i) produced by distillation from a mixed mash of cereal grains only saccharified by the diastase of malt and then flavoured by redistillation with juniper berries and other vegetable ingredients and of a brand which has been notified as an approved brand by notice in the Gazette and in containers labelled with the name and address of the owner of the brand, or

(ii) produced by distillation at least three times in a pot-still from a mixed mash of barley, rye and maize saccharified by the diastase of malt and then rectified by re-distillation in a pot-still after the addition of juniper berries and other vegetable flavouring materials, or

(iii) produced in the Union of South Africa by distillation from fermented grape juice and flavoured by re-distillation with juniper berries and other vegetable ingredients ;

(e) methylated or denatured spirits, *i.e.*,

(i) mineralised methylated spirits mixed as follows :—

To every ninety parts by volume of spirits nine and one-half parts by volume of wood naphtha and one-half of one part by volume of crude pyridine and to every one hundred gallons of the mixture three-eighths of one gallon of mineral naphtha or petroleum oil and not less than one-fortieth of an ounce by weight of powdered aniline dye (methyl violet) and so in proportion for any quantity less than one hundred gallons and

(ii) industrial methylated spirits imported under licence from the Board and mixed as follows :—

To every ninety-five parts by volume of spirits five parts by volume of wood naphtha and also one-half of one part by volume of crude pyridine to every one hundred parts by volume of the mixture and

(iii) spirits denatured for a particular purpose in such manner as the Board in any special circumstances may permit ;

(f) perfumed spirits ;

(g) rum, *i.e.*, a spirit—

(i) distilled direct from sugar cane products in sugar growing countries and

(ii) stored in wood for a period of three years ;

(h) spirits imported for medical or scientific purposes, on such conditions as the Board may prescribe ;

(i) spirits totally unfit for use as potable spirits admitted to entry as such in its absolute discretion by the Board ; and

SCHEDULE 1—*continued*

(j) whisky, *i.e.*, a spirit—

(i) obtained by distillation from a mash of cereal grains saccharified by the diastase of malt and

(ii) stored in wood for a period of three years.

(2) containing more than forty-eight and one-half *per centum* of pure alcohol by volume except denatured, medicated and perfumed spirits, and such other spirits which the Board, in its discretion, may allow to be imported subject to such conditions as it may see fit to impose.

38. WEAPONS of any description which in the opinion of the Board are designed for the discharge of any noxious liquid, gas or other similar substance, and any ammunition containing, or in the opinion of the Board designed or adapted to contain, any noxious liquid, gas or other similar substance.

SCHEDULE 2

Section 2

GOODS PROHIBITED FROM BEING IMPORTED EXCEPT AS PROVIDED HEREIN

Column I—Article

Column II—Exceptions

1 (a) Advertisements or notices as such or contained in periodicals or books or as labels on packets bottles, boxes or other enclosures, relating to the treatment of any venereal disease, or any disease or condition in respect of which section 56 (1) of the Poisons and Pharmacy Act prohibits advertisements, or relating to aphrodisiacs.

(b) Any packet, box, bottle or other enclosure containing any drug or preparation with which there is any advertisement or notice or on which there is any label, which advertisement, label or notice is prohibited under paragraph (a).

2. All goods which bear a design in imitation of any currency or bank-note or coin in current use in Nigeria or elsewhere.

3. Ammonium Nitrate, pure.

4. Apparatus which in the opinion of the Board is suitable for the distillation of alcohol or the rectification or redistillation of spirits.

5. Blank Invoices

6. Calcium Carbide.

Except advertisements in publications of a technical character for circulation amongst:—

(a) registered medical or veterinary practitioners;

(b) selling dispensers or chemists and druggists;

(c) the governing body or managers of hospitals, nursing homes or mental hospitals.

Except books for use in schools.

Except under licence from the Chief Pharmacist in the public service of the Federation.

Except such as may be licensed under the Liquor Act.

Except under a licence from the Board.

Except when enclosed in substantial closed metal vessels with screw press on or lever openings themselves clearly marked, or enclosed in outer packages clearly marked in conspicuous characters with the words "Calcium Carbide—Dangerous if not kept Dry".

SCHEDULE 2—continued

Column I—Article

Column II—Exceptions

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| 7. Cyanide of Potassium and all poisonous cyanides and their preparations. | Except under licence from the Chief Inspector of Mines or the Inspector-General of Police, and subject to such conditions as they may see fit to impose. |
| 8. Gold Coin current in the United Kingdom. | Except under licence from the Commissioner. |
| 9. Matches, excluding Bengal, imported from or through territories adjoining Nigeria, overland or by inland water-ways. | Except under licence from the Board :
Provided, however, that the proper officer may in his absolute discretion allow the importation without licence of a small quantity of matches in baggage for personal use of the importer and not for sale. |
| 10. Motor vehicles and parts thereof fitted or adapted for solid tyres, and solid tyres. | Except under a licence from the Director of the Federal Ministry of Works and Housing. |
| 11. Motor spare parts and accessories imported from or through territories adjoining Nigeria, overland or by inland waterways. | Except under a licence from the Board :
Provided that the proper officer may in his absolute discretion allow the importation without licence of a reasonable quantity of tobacco goods in baggage (if imported for personal use of the importer, and not for sale.) |
| 12. Naval, Military, Air Force or Civil Accoutrements or uniforms or any dress having the appearance of bearing any of the regimental or other distinctive marks of any such uniform, or which may in the opinion of the proper officer be used to convey the impression that a person wearing the dress holds any office or authority under the Government of the Federation or of a State therein. | Except such as are imported by serving members of Nigerian Armed Forces or with the authority of the Commander-in-Chief of the Armed Forces. |
| 13. Nets, gins, traps, snares, spring guns, missiles containing explosives, apparatus for setting guns and all similar or other mechanical engines or appliances including any parts thereof or accessories thereto designed, calculated or intended to be used or capable of being used to capture, injure or destroy any animal : Provided that no gin or trap or similar article shall be deemed hereby to be prohibited to be imported solely by reason of the | Except such articles as may be imported with the approval of the Board on specific occasions if required for scientific purposes on condition that they are either destroyed or exported from Nigeria after they have been used for the scientific purposes aforesaid. |

SCHEDULE 2—continued

Column I—Article

Column II—Exceptions

fact that it has jaws, if such jaws are not capable of being opened to a greater width than four inches measured at the widest part : Provided further that the decision of the Board shall be conclusive in any dispute which may arise as to what is to be considered a prohibited import within the meaning of this item.

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| 14. Percussion Caps. | Except those adapted for use with cap guns. |
| 15. Perfumes (perfumed alcohol) and other perfumery classifiable under Import List Item 552-019, imported from or through territories adjoining Nigeria, overland or by inland waterways. | Except under a licence from the Board :
Provided that the proper officer may in his absolute discretion allow the importation without licence of a reasonable quantity of perfumes and perfumery in baggage for personal use of the importer and not for sale. |
| 16. Reel-Fed Rotary Ticket Printing Presses. | Except under licence from the Commissioner. |
| 17. Spirits— | |
| (a) of all descriptions | (a) Except in a ship of more than 100 tons register or in an aircraft. |
| (b) in casks or drums | (b) Except under licence granted by the Board and subject to the payment of two shillings and four pence per liquid gallon for every one per cent of pure alcohol in excess of 43 per cent or such other fee as the Commissioner shall from time to time determine. |
| (c) brandy, whisky, rum and gin, other than brandy, whisky, rum and gin imported in miniature bottles as bona fide samples in the ordinary course of commercial business and admitted as such in its absolute discretion by the Board. | (c) Except in cases containing 12 bottles of a size known as reputed quart or 24 bottles of a size known as reputed pint or 48 bottles of a size known as reputed half-pint or 96 bottles of a size known as reputed quarter-pint or 192 bottles of a size known as reputed one-eighth-pint to measure not less than 1.78 nor more than 2 liquid gallons, or in casks or drums under licence granted in accordance with provision (b) above, such cases, casks or drums to be accompanied by such certificates or declarations in the case of brandy, whisky and rum, that the whole of the liquor is at least three years old and such certificates or declarations, in the case of brandy, whisky, rum and gin, as to the origin and ingredients thereof as the Board may, by notice in the Gazette, direct. |

SCHEDULE 2—continued

Column I—Article

Column II—Exceptions

		Provided that the proper officer may in his absolute discretion allow the importation of small quantities of brandy, whisky, rum or gin unaccompanied by such certificates or declarations where he is satisfied that they are for the personal use of the importer and are not for sale.
(d) Denatured, other than methylated spirits as defined in Schedule 1, totally unfit for use as potable spirits.	(d)	Except under licence from the Board.
(e) Methylated, industrial as defined in sub-paragraph (ii) of paragraph (e) of item 37 (1) of Schedule 1.	(e)	Except under licence from the Board.
(f) Spirits imported for medical or scientific purposes.	(f)	Except under licence from the Board.
18. Tear Gas		Except under licence from the Commissioner.
19. Terne-Plate and all goods made of terne-plate.		Except under licence from the Import Licensing Authority.
20. Tobacco goods, namely—unmanufactured tobacco, cigars, cigarettes and other unmanufactured tobacco imported from or through territories adjoining Nigeria overland or by inland waterways.		Except under a licence from the Board : Provided that the proper officer may in his absolute discretion allow the importation without licence of a reasonable quantity of tobacco goods in baggage (if imported for personal use of the importer, and not for sale.)
21. Machines for duplicating keys. ..		Except under licence from the Inspector-General of Police and subject to such conditions as he may see fit to impose.
22. Salk Anti-Poliomyelitis Vaccine. ..		Except under licence from the Chief Medical Adviser to the Government of the Federation.
23. Used clothing, that is to say, all wearing apparel, body linen, bedding and blankets which have been in use, to be sold or distributed in Nigeria.		Unless accompanied by a certificate of disinfection issued by such authority, and containing such particulars, as the Federal Commissioner charged with responsibility for matters relating to health may determine or, in the absence of such certificate, unless disinfected to the satisfaction of an officer authorised by that Commissioner for the purposes of this provision.
24. Any gambling or gaming machine or other mechanical device designed or able to be used for gambling and capable of being operated automatically or by means of a lever or other device whatsoever, by any person after the insertion of a coin or token.		Except under licence from the Commissioner.

SCHEDULE 3

Section 3

GOODS WHICH MAY BE IMPORTED WITHOUT A LICENCE FROM
THE IMPORT LICENSING AUTHORITY

1. Goods belonging to the Nigerian Army, Military or Air Force ;
2. Bona fide commercial travellers' samples or patterns, the property of commercial travellers who are or are to be in Nigeria at or within a reasonable time after the time of importation ;
3. Personal effects which are the property of passengers and are contained in their baggage, and which the Board of Customs and Excise may in its discretion accept as such ;
4. Nigerian returned goods.

SCHEDULE 4

Section 4

IMPORTS PROHIBITION ORDERS REVOKED

<i>Legal Notice</i>	<i>Citation</i>	<i>Extent of Revocation, etc.</i>
L.N. 81 of 1959	Imports Prohibition Order 1959	The whole Order
L.N. 110 of 1961	Imports Prohibition (Amendment) Order 1961.. .. .	The whole Order
L.N. 156 of 1961	Imports Prohibition (Amendment) Order 1961.. .. .	The whole Order
L.N. 24 of 1962	Imports Prohibition (Amendment) Order 1962.. .. .	The whole Order
L.N. 137 of 1962	Imports Prohibition (Amendment) Order 1962.. .. .	The whole Order
L.N. 19 of 1967	Imports Prohibition (Amendment) Order 1967.. .. .	The whole Order
L.N. 97 of 1967	Imports Prohibition (Amendment) (No. 2) Order 1967	The whole Order
L.N. 129 of 1967	Imports Prohibition (Amendment) (No. 3) Order 1967	The whole Order
L.N. 64 of 1968	Imports Prohibition (Amendment) Order 1968.. .. .	The whole Order
L.N. 100 of 1968	Imports and Exports Prohibition Order 1968	The whole of section 2. In section 3, the words "the Imports Prohibition Order 1959 and" shall be omitted, and for the word "references" the word "reference" shall be substituted.
L.N. 41 of 1970	Imports Prohibition Order 1970	The whole Order.

MADE at Lagos this 19th day of April 1970.

OBAFEMI AWOLOWO,
Federal Commissioner for Finance

EXPLANATORY NOTE

(This note is not part of the above Order, but is intended to explain its purpose)

This Order supersedes the Imports Prohibition Order 1959, and revokes all the existing Imports Prohibition Orders made under section 22 of the Customs and Excise Management Act 1958. The Order provides that the importation of all goods set out in Schedule 1 of the Order are absolutely prohibited, and therefore a licence cannot be granted by the Import Licensing Authority for the importation of any goods mentioned in that Schedule. The importation of the goods set out in Schedule 2 of the Order are restricted to the extent therein mentioned. Schedule 3 of the Order makes general provisions as respects certain goods which may, as specified in that Schedule, be imported without a licence.