

NIGERIAN RAILWAY CORPORATION ACT

SUBSIDIARY LEGISLATION

NIGERIAN RAILWAY CORPORATION (RAILWAY) BY-LAWS

(The following extracts from these by-laws are reproduced below: by-law 4, 9, 66, 67)

ARRANGEMENT OF BY-LAWS

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NIGERIAN RAILWAY CORPORATION (RAILWAY) BY-LAWS

(EXTRACTS)

[L.N. 90 of 1955.]

under section 58

[Commencement: 1st October, 1955]

PART I

Preliminary

4. Fines and excess charges

(1) A person who commits a breach of a by-law shall be guilty of an offence punishable by a fine in the discretion of a court but not exceeding the maximum penalty stipulated at the foot of the by-law.

(2) A person who travels in a train or railway road-motor vehicle without holding a ticket entitling him so to travel, or who fails, on request by an authorised railway servant, immediately to produce a ticket entitling him so to travel, shall, irrespective of any penalty which may be inflicted upon him by a court, be liable to pay to the Corporation double the fare for the journey he has made and, if he is unable to prove the point at which he joined the train or vehicle, double the fare for the journey made by the train or vehicle from its starting point:

Provided that the payment to be made by him shall not be less than ₦2 for a first-class passenger, ₦1 for a second-class passenger, and 40 kobo for a third-class passenger; and if such person has not completed his journey he shall, in addition, pay the ordinary fare for the remainder of his journey.

(3) A person who travels in a train or railway road motor vehicle in a vehicle or compartment of a higher class than that for which he holds a ticket entitling him so to travel or who travels beyond the destination to which a ticket which he holds entitles him to travel shall, irrespective of any penalty which may be inflicted upon him by a court, be liable to pay to the Corporation double the difference between the fare paid by him for the journey he has made and the fare properly payable:

Provided that the payment to be made by him shall not be less than ₦2 for a first-class passenger, ₦1 for a second-class passenger, and 40 kobo for a third-class passenger; and if such person has not completed his journey he shall, in addition, pay the ordinary fare for the remainder of his journey.

9. Trespassing animals or birds

Neither the Corporation nor its servants shall be liable to pay compensation for any injury to or loss of an animal or bird, howsoever caused, when such injury or loss occurs when the animal or bird is trespassing in or upon a railway vehicle or railway premises.

PART IV

Provisions relating to road vehicles

66. Dangerous driving

A person shall not while he is upon railway premises ride or drive any horse or other animal or drive, propel or haul any vehicle—

- (a) in a manner which is calculated to cause injury or damage to or to endanger any person or property; or

- (b) over or along any road, path or way which is appointed for the exclusive use of pedestrians.

Penalty: ₦40.

67. Vehicles crossing railway level crossings

A person in control of a road vehicle, when proceeding towards a railway level crossing, shall not—

- (a) drive or allow the road vehicle to approach the crossing at such a speed that he will be unable, in case of emergency, to stop the vehicle before reaching the crossing; or
- (b) fail to give the right of way to a train or vehicle running upon the railway which is approaching the crossing at or about the same time; or
- (c) drive, propel or haul the road vehicle in a manner which will interfere with or is likely to interfere with the passage of a train or vehicle running upon the railway over the roadway at the crossing; or
- (d) fail to stop before reaching the crossing if a railway gate is across the roadway thereat, or a red light is showing thereat, or a red flag is being exhibited thereat, or any other warning, notice, instruction or indication is given to him to stop before reaching the crossing; or
- (e) pass a red light which is showing towards him or a red flag which is being exhibited on or near the road approach to the crossing in close proximity to the crossing.

[L.N. 5 of 1958.]

Penalty: ₦40.
