

**CUSTOMS AND EXCISE (SHIP CHANDLERS) (LICENSING)  
REGULATIONS**

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**CUSTOMS AND EXCISE (SHIP CHANDLERS) (LICENSING)  
REGULATIONS**

[L.N. 94 of 1968.]

under section 74

[Commencement: 1st January, 1967]

**1. Short title**

(1) These Regulations may be cited as the Customs and Excise (Ship Chandlers) (Licensing) Regulations.

(2) These Regulations shall be deemed to have come into force on 1 January 1967 and acts, matters and things done or omitted or purported to have been done or omitted by the Board or any officer between that date and the making of these Regulations shall for all purposes have been validly done or omitted.

(3) Nothing in these Regulations shall be construed as enabling any person to be guilty of an offence thereunder on account of any act or omission which took place before the making of these Regulations and which did not at the time when it took place, constitute such an offence.

## 2. Interpretation

In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say—

“**Act**” means the Customs and Excise Management Act;  
[L.F.N. 2004 Cap. C45.]

“**applicant**” means any person who makes an application under regulation 4 of these Regulations;

“**Board**” means the Nigerian Customs Services Board established under the Nigerian Customs Service Board Act;  
[L.F.N. 2004 Cap. N100.]

“**firm**” has the same meaning as in section 588 (1) of the Companies and Allied Matters Act;  
[L.F.N. 2004 Cap. C20.]

“**provisions**” in relation to supplies made to ships by a licensed ship chandler has the meaning assigned to it in regulation 3 (2) of these Regulations;

“**responsible officer**”, in relation to a ship, has the same meaning as in section 174 (5) (a) of the Act;

“**ship chandler licence**” means a licence under regulation 5 of these Regulations granted to any person.

## 3. Prohibition of supply of provisions to ships by unauthorised persons

(1) No person shall, except under and in accordance with the authority of a ship chandler licence, supply provisions to any ship or enter any ship for the purpose of delivering or supplying such provisions.

(2) In this regulation, the expression “**provisions**” includes such things as vegetables, fruits and other local produce necessary for the maintenance of life.

## 4. Application for ship chandler licence

(1) An application for a ship chandler licence or for the renewal of any such licence shall be made in writing to the Board by the applicant and, subject to subregulation (2) of this regulation, the application shall be in such form as the Board may prescribe.

[L.N. 88 of 1970.]

(2) The application must—

(a) contain the full name and address of the applicant and the business name (if any) under which the applicant carries on his trade or business; and if the applicant is a company, the address of the registered office of the company within the meaning of the Companies and Allied Matters Act;

[L.F.N. 2004 Cap. C20.]

- (b) be signed by any of the following persons, that is to say—
- (i) in the case of an individual, the applicant;
  - (ii) in the case of a firm, all the partners;
  - (iii) in the case of a body corporate, the secretary, and at least two directors of that body;
- (c) contain the full name and address of every shipping company or shipping agency operating the ships to which the applicant intends to supply provisions and be accompanied by a letter of recommendation from each such shipping company or shipping agency.

[L.N. 88 of 1970.]

## 5. Board may grant, refuse or revoke licence

(1) The Board shall on receipt of any application under regulation 4 of these Regulations consider the application and may—

- (a) subject to regulations 6 to 8 of these Regulations, issue the licence to the applicant;
- (b) without assigning any reason, refuse to issue the licence.

(2) A licence granted under these Regulations may be revoked at any time by the Board if the Board is satisfied that the licensee has at any time after the licence was issued, infringed any of the conditions of the licence or any provisions of the Act or these Regulations, or for any other reasonable cause.

## 6. Qualifications for holding licence

A person shall not be issued with a ship chandler licence unless—

- (a) in the case of an individual, the person; or
- (b) in the case of a firm, the majority of the partners thereof; or
- (c) in the case of a body corporate, the secretary, each director or general manager of the corporation,

is literate in the English language.

## 7. Evidence of registration of body corporate or business name

An applicant shall—

- (a) if he is a body corporate, produce to the Board evidence of incorporation or registration in Nigeria of that body under the Companies and Allied Matters Act; or

[L.F.N. 2004 Cap. C20.]

- (b) if he is an individual or a firm carrying on business under a business name, produce to the Board evidence of registration of that business name under the Companies and Allied Matters Act.

[L.F.N. 2004 Cap. C20.]

## 8. Security

A person shall not be issued with a ship chandler licence unless he has furnished, in such form as the Board may consider satisfactory in any particular case, security either in cash or by bond in the sum of five hundred naira for the faithful and uncorrupted performance of his duties as a licensed ship chandler.

## 9. Supplies to ships by licensed ship chandler to be limited to provisions

- (1) Supplies made to ships by a licensed ship chandler shall be limited to provisions.
- (2) A list of such provisions shall be submitted by the licensed ship chandler to the proper officer before the ship chandler loads the provisions on board.
- (3) In this regulation, the expression "proper officer" has the same meaning as in section 2 of the Act.

## 10. Movements of licensed ship chandler on board ship, etc.

(1) The movements of a licensed ship chandler while on board any ship to which he delivers provisions (or of any person acting on behalf of the licensed ship chandler, being a person authorised by the responsible officer of the ship to board the ship for delivering such provisions) shall be confined to the deck of ship and the responsible officer shall take delivery of the provisions on that deck.

(2) A ship chandler must not, while on board any ship—

- (a) engage in selling anything to any member of the ship's crew; or
- (b) buy anything from any member of the ship's crew.

## 11. Form and condition of grant of licence

(1) Every ship chandler licence shall—

- (a) authorise the person named therein to supply provisions to any ship operated by the shipping company or shipping agency specified in such licence and to enter any such ship for the purpose of delivering or supplying the provisions;  
[L.N. 88 of 1970.]
- (b) be subject to the payment of a fee of twenty naira;
- (c) be personal to the person named therein and not transferable;
- (d) expire on 31 December next following the date on which it was issued; and
- (e) be subject to the condition that the licensed ship chandler shall, to the satisfaction of the Board, perform his duties in an efficient manner.

(2) Subject to subregulation (1) of this regulation, a ship chandler licence shall be in such form as the Board may prescribe.

## 12. False statement in application

No person shall, without reasonable excuse—

- (a) in an application for the issue of a ship chandler licence furnish any statement which is false in a material particular; or

- (b) sign any such application containing a statement which is false in a material particular.

### 13. Offences

Any person who contravenes or fails to comply with any of the provisions of these Regulations shall be guilty of an offence and liable under section 74 of the Act, and any goods or article in respect of which the offence was committed shall be forfeited under that section.

**CUSTOMS AND EXCISE (WAREHOUSING OF GOODS) NOTICE**

**ARRANGEMENT OF SECTIONS**

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**CUSTOMS AND EXCISE (WAREHOUSING OF GOODS) NOTICE**

[L.N. 21 of 1969.]

under section 81

[Commencement: 1st August, 1966]

**1. Short title**

This Notice may be cited as the Customs and Excise (Warehousing of Goods) Notice.

**2. Goods eligible for warehousing**

All goods which are liable to an import duty of customs or a duty of excise, with the exception of such goods as are under any provision of law required to be stored in some other specific place, may be warehoused without payment of the duty thereon.

## CUSTOMS AND EXCISE PREVENTIVE SERVICE REGULATIONS

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**CUSTOMS AND EXCISE PREVENTIVE SERVICE REGULATIONS**

[L.N. 1 of 1963.]

under section 194

[Commencement: 21st November, 1962]

**1. Short title**

These Regulations may be cited as the Customs and Excise Preventive Service Regulations.

**2. Interpretation**

In these Regulations, unless the context otherwise requires—

“**Board**” means the Board established under section 1 of the Nigerian Customs Service Board Act;

[L.F.N. 2004 Cap. N100.]

“**Comptroller-General**” means the Comptroller-General of the Nigerian Customs Service;

“**Service**” means the Customs and Excise Preventive Service established under regulation 3 of these Regulations.



PART I

*Establishment and appointments*

**3. Establishment of Service**

(1) There shall be established a Customs and Excise Preventive Service (hereafter in these Regulations referred to as “the Service”).

(2) The Service shall be under the control and management of the Board except that the Comptroller-General shall be responsible for matters affecting recruitment, advancement and discipline within the Service.

**4. Officers of the Service**

There may be appointed to the Service—

- (a) a commandant;
- (b) a deputy commandant;
- (c) assistant commandants;
- (d) senior superintendents;
- (e) superintendents;
- (f) assistant superintendents;
- (g) senior preventive officers;
- (h) preventive officers; and
- (i) assistant preventive officers.

**5. Precedence of members of the Service**

(1) The precedence of the members of the Service shall be—

- (a) commandant;
- (b) deputy commandant;
- (c) assistant commandant;
- (d) senior superintendent;
- (e) superintendent;
- (f) assistant superintendent;
- (g) senior preventive officer, grade I;
- (h) senior preventive officer, grade II;
- (i) preventive officer;
- (j) assistant preventive officer.

(2) Officers of the same rank shall take precedence among themselves in accordance with the date of their appointment to that rank.

(3) Where other officers are assigned from time to time for duty within the Service the rank and precedence of such officers shall be determined by the Board.

## 6. Deployment of the members of the Service

For the purpose of carrying out or enforcing the provisions of the customs and excise laws, a member of the Service shall serve in such places and for such periods and in such classifications and rank as the Comptroller-General may, from time to time, decide.

## 7. Service required and conduct in performance thereof

A member of the Service shall carry out the lawful commands of his superior officer and shall devote all his time and energy to the carrying out or enforcement of all customs and excise laws and regulations and shall at all times carry out his duties subject to overall direction of the Board without fear or favour, malice or ill-will and with strict impartiality and courtesy towards the general public.

## 8. Application of Parts II and III

The provisions of Parts II and III of these Regulations shall not apply to members of the Service of and above the rank of assistant superintendent whose appointments and conditions of service shall be in accordance with the rules and regulations prescribed for members of the civil service of the Federation.

### PART II

#### *Rank and file*

## 9. Qualification of candidate for engagement

(1) The qualifications of a person seeking engagement in the Service shall be as follows—

- (a) he shall not be less than eighteen years of age;
- (b) he shall not be more than 21 years of age;
- (c) he shall not be less than five feet six inches in height;
- (d) he shall be certified by a government medical officer in the form set out as Form A in the First Schedule to these Regulations as being physically and mentally fit for engagement in the service;
- (e) he shall be literate and possess such educational qualifications as the Board may, from time to time, stipulate; and
- (f) he shall be of good character and not have been found guilty of any criminal offence or of any offence against the customs and excise laws.

(2) The Comptroller-General may, where he considers it necessary in the interest of the Service, vary or dispense with qualifications specified in paragraphs (a) to (c) of subregulation (1) of this regulation.

## 10. Forms and nature of engagement

(1) A candidate seeking engagement in the Service shall answer such questions and make such declaration on oath as contained in Forms B and C set out in the First Schedule to these Regulations, and such declaration, which shall be made in a manner the candidate may declare to be most binding on his conscience, shall be made before a magistrate or an officer of the Service not below the rank of superintendent or an officer of the

Nigerian Customs Service of equivalent rank who is, for the purposes of this regulation, hereby authorised to administer the oath and receive the declaration.

[First Schedule. Forms B and C.]

(2) A candidate who gives any false information or makes any false statement or declaration shall be guilty of an offence and shall on summary conviction be liable to dismissal from the Service.

(3) Where the answers given by the candidate are found to be satisfactory and true, and if he is found to be physically and mentally fit for service and in all other respects qualified and satisfactory, he may be appointed to the Service.

(4) Engagement in the Service shall in the first instance be on probation for three years, reckoned in all cases from the day on which the candidate was appointed to the Service and taken on the establishment and members so engaged shall be subject to the provisions of these Regulations and other conditions of service prescribed for members of the civil service of the Federation:

Provided that where those conditions of service are inconsistent with these Regulations, the provisions of these Regulations shall prevail.

#### **11. Resignation from the Service**

(1) No member of the Service shall be at liberty to resign or to withdraw himself from his duties unless expressly allowed to do so by the Comptroller-General.

(2) Notwithstanding the provision of subregulation (1) of this regulation, any member of the Service whose period of service expires during a state of war, insurrection or hostilities may be compulsorily retained and his service prolonged for such period, not exceeding twelve months, as the Board may direct.

#### **12. Appointment and promotion by Comptroller-General**

The Comptroller-General may, within the limits of approved establishment, fill by promotion or fresh appointment all vacancies in the Service below the rank of assistant superintendent which may occur from time to time through any cause whatsoever and every such appointment shall be deemed to be an appointment under these Regulations.

### **PART III**

#### *Discipline*

#### **13. Offences against discipline**

Any member of the Service (hereinafter referred to as “defaulter”) who is guilty of an offence specified in the Second Schedule to these Regulations shall suffer punishment according to the degree and nature of the offence as may be awarded in accordance with these Regulations.

[Second Schedule.]

#### **14. Procedure at an inquiry**

(1) The Comptroller-General or such other officer as the Comptroller-General may authorise, either generally or specifically in that behalf, shall inquire into any charge

against a defaulter under these Regulations and shall, in any matter concerning such enquiry, have the power of summoning and examining witnesses on oath or affirmation and of calling for documents.

(2) The enquiry may be adjourned from time to time.

(3) In every such enquiry where witnesses are examined on oath or affirmation, the proceedings and decision shall be recorded in writing.

### 15. Punishment

If, as a result of the enquiry conducted under regulation 14 of these Regulations, the charge is proved against a defaulter, the Comptroller-General or any officer authorised by him may—

(a) impose in the case of a defaulter who is a senior preventive officer, preventive officer, or assistant preventive officer, one or more of the following—

(i) admonition;

(ii) severe reprimand or reprimand;

(iii) a fine not exceeding ₦2;

(iv) the withholding or deferment of an increment;

(v) reduction in rank;

(vi) dismissal in accordance with the provision of regulation 16 of these Regulations;

(b) in the case of other officers, recommend disciplinary action against the officer, in accordance with the general disciplinary orders for the time being in force for members of the civil service of the Federation:

Provided that a sentence of reduction in rank, dismissal or the withholding of any increment imposed under this regulation by any officer other than the Comptroller-General shall require the confirmation of the Comptroller-General.

### 16. Dismissal

(1) A defaulter may be dismissed under the provisions of regulation 15 of these Regulations only if the enquiry into the charge proved against him has been conducted in accordance with the following provisions—

(a) the defaulter shall be notified in writing of the charge upon which it is intended to dismiss him and the defaulter shall be given a full opportunity of defending himself;

(b) if any witnesses are called to give evidence, the defaulter shall be entitled to be present and cross-examine such witnesses;

(c) no documentary evidence shall be used against the defaulter unless he has previously been supplied with a copy thereof or given evidence thereto;

(d) the enquiry into the charge shall be conducted by a superior officer not below the rank of superintendent; and

(e) any sentence of dismissal shall, except in the case of an assistant preventive officer, require the confirmation of the Federal Civil Service Commission.

(2) This regulation shall not apply to a member of the Service not holding a pensionable appointment.

### 17. Review

(1) The Comptroller-General may call for and examine the record of any enquiry into a disciplinary charge conducted under regulation 14 of these Regulations for the purpose of satisfying himself as to the correctness, legality or propriety of any conviction or award of punishment.

(2) On reviewing any such record, the Comptroller-General may confirm, increase, mitigate, alter or annul any punishment awarded to a defaulter.

### 18. Appeal

Appeal against conviction in respect of a disciplinary offence under the regulations or against any punishment awarded therefor or against such conviction and sentence shall within seven days from the date of the decision thereof be—

- (a) in case of a defaulter of the rank of senior preventive officer and below, to the Comptroller-General, except in case of dismissal, the appeal in respect of which shall lie to the Federal Civil Service Commission; and
- (b) in case of all other defaulters, in accordance with the general disciplinary orders in force for the time being for members of the civil service of the Federation,

and upon such appeal the punishment imposed may be increased, confirmed, reduced or annulled.

### 19. Desertion

(1) A member of the Service who is absent without leave for 21 or more consecutive days shall be deemed to be guilty of the offence of desertion, and shall be dismissed from the Service.

(2) A deserter's name shall be struck off as from the first day of such desertion, and when any member of the Service who has been struck off as a deserter returns and applies for reinstatement his case shall be inquired into and the reason for his desertion ascertained by the Comptroller-General or any officer authorised in that behalf by the Comptroller-General.

(3) Where the explanation of the deserter is satisfactory, the Comptroller-General shall cancel the order of dismissal.

### 20. Interdiction

(1) If he deems it necessary in the public interest that a member of the Service should cease to exercise the powers and functions of his office instantly, the Comptroller-General may interdict from duty such member pending the hearing of any criminal charge or any enquiry into the conduct of such member under the provisions of these Regulations or any other offences of whatsoever nature, but such member shall not by reason of such interdiction cease to be a member of the Service.

(2) The powers, privileges, and benefits of a member of the Service vested in an interdicted member shall, during his interdiction, be in abeyance, but he shall continue to be subject to the same authority and discipline as if he had not been interdicted.

(3) Not less than half pay shall accrue to any member of the Service in respect of any period during which he is under interdiction awaiting trial which results in his conviction either for an offence against discipline or for any other offence.

(4) If the proceedings taken against any member of the Service do not result in his dismissal or reduction in rank or grade, he shall be entitled to the full amount of the pay which he would have received if he had not been interdicted.

## **21. Pay during absence**

(1) No pay shall accrue to any member of the Service in respect of any day during which he is absent on desertion or without leave or undergoing any sentence of imprisonment.

(2) No period of such absence, imprisonment or interdiction shall be reckoned as one day for the purpose of this regulation and subregulation (3) of regulation 20 of these Regulations unless the absence, imprisonment or suspension has lasted for six consecutive hours or upwards, whether wholly in one day, or partly in one day and partly in another.

(3) When any period of such absence, imprisonment or interdiction exceeds six consecutive hours as aforesaid, but does not exceed 24 hours, it shall not be reckoned as more than one day; but if such period exceeds 24 hours, every period of 24 hours or part thereof, after the first period of 24 hours shall be reckoned as one day.

## **22. Surrender, damage or loss of equipment**

(1) Every member of the Service who may be interdicted or dismissed from or cease to hold or exercise his office, shall forthwith deliver up to the officer under whom he is serving all clothing, accoutrements, Government and Service property which might have been issued or supplied to him or entrusted to his care.

(2) If any member of the Service makes away with or is concerned with making away with (whether by pawning, selling, destruction or otherwise howsoever), loses by neglect, or wilfully or negligently damages any clothing, accoutrements, Government and Service property, he may, in addition to any other punishment, be ordered to make good the amount of such loss or damage by stoppages out of his pay.

## **23. Fines to be recovered by stoppages**

(1) All fines imposed upon members of the Service for offences under these Regulations shall be recovered by stoppages from the defaulter's pay due at the time of committing such offence and thereafter becoming due.

(2) The amount of the stoppage in respect of any fine shall be at the discretion of the officer authorised to impose fines, but shall in no case exceed one third of the monthly pay of the defaulter and whenever more than one order of stoppage is in force against the same defaulter, so much only of his pay shall be stopped as shall leave him a residue of at least one third of his monthly pay.

(3) When more than one order of stoppage is made in respect of the same person, the orders later in date shall, where necessary, be postponed as to their enforcement until the earlier orders are discharged.

#### **24. Fines and stoppages**

(1) All fines and stoppages for loss of or damage to clothing, equipment, Government and Service property may be deducted from the pay of the member of the Service who has incurred the liability.

### **PART IV**

#### *Custody, issue and use of firearms and ammunition*

#### **25. Custody of firearms, etc.**

Firearms and ammunition issued for the use of the officers of the service shall be in the custody of an officer not below the rank of a superintendent and shall be kept in a place of security within a customs station.

#### **26. Issuing and use of firearms**

Such firearms and ammunition as may be required for official use may be issued at the discretion of the superintendent, or any other officer of the Service not below the rank of a superintendent, in charge of the station to any officer not below the rank of an assistant superintendent when on a patrol duty.

#### **27. Keeping of register**

There shall be kept at a customs station to which firearms and ammunition has been issued a register showing the description and number of such firearms, quantity of ammunition, the date of issue and re-issue to the station, the date of issue and re-issue to any officer, name and rank of officer to whom firearms and ammunition has been issued or re-issued, the actual use made of them at any given time and the description, number and quantity of firearms and ammunition in respect thereof and such other particulars as the Board may direct.

### **PART V**

#### *General*

#### **28. Retiring benefit vacation and sick leave**

Subject to the exigencies of the Service, retiring benefits, vacation leave, sick and compensating leave may be granted on the scale and under the conditions prescribed for members of the civil service of the Federation.

#### **29. Lawful order and duties**

(1) Every member of the Service shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a member of the Service.

(2) Whether a member of the Service is normally on or off duty, his responsibility is the same and he is bound to do everything in his power to enforce all the provisions of the customs and excise laws and regulations at all times and by all legal means.

**30. Overtime**

Members of the Service shall not be eligible for extra pay in respect of work done outside the normal working hours.

**31. Clothing and equipment**

Clothing and equipment shall be of such pattern and worn in such manner as the Board shall determine.

**32. Revocation of Regulations**

(1) The Customs (Preventive Service) Regulations are hereby revoked.

[No. 34 of 1954.]

(2) Notwithstanding the provision of subregulation (1) of this regulation, all appointments of members of the Service made under regulations revoked by this regulation shall for all purposes be deemed to have been lawfully made and shall take effect in accordance with the conversion table set out in the Third Schedule to these Regulations as if the appointments were originally made under these Regulations.

[Third Schedule.]

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**SCHEDULES**

**FIRST SCHEDULE**

**FORM A**

[Regulation 9 (1) (d).]

*Medical Certificate*

I hereby certify that I have examined .....

1. His height is ..... feet ..... inches

2. His unexpanded chest measurement is ..... inches

3. His vision is—  
right eye .....  
left eye .....

4. His hearing is .....

5. He has distinctive marks or scars as follows—  
.....

He suffers from no deformities other than .....

and I find him physically and mentally fit for service with the Preventive Service.

Place .....

Date .....

*Medical Officer*