

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

## ACTS AUTHENTICATION

### EXPLANATORY MEMORANDUM

The present mode of authenticating legislation is cumbersome and to some extent out of date, and should be replaced. The object of this Bill is to provide for the replacement by a simpler method known as assent by commission.

By this procedure, Bill will as they pass Parliament be listed in a schedule which, when approved, is to be signed by His Excellency the Governor-General and then sealed. The Bills will thereafter be published as Acts, and if endorsed as published by authority shall have effect as if the assent in Her Majesty's name duly appeared on the face of the Act. Likewise the certificate by the Clerk of the Parliaments will no longer be required.

*Clauses 2 and 3* provide for assent to Bills and *clause 6* provides for the recognition of Acts under the procedure proposed.

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

## ACTS AUTHENTICATION

### ARRANGEMENT OF CLAUSES

#### *Clause*

1. Short title, etc.
2. Authentication of Bills for assent.
3. Presentation of Bills for assent.
4. Classification and numbering of Acts.
5. Printing of Acts.
6. Evidence of Acts.
7. Repeal.

# A BILL

## FOR

AN ACT TO MAKE PROVISION FOR THE AUTHENTICATION AND RECORDING  
OF ACTS OF PARLIAMENT.

[1st January, 1962]

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) This Act may be cited as the Acts Authentication Act, 1961, and shall come into operation on the first day of January, 1962.

Short title,  
etc.

(2) This Act shall apply to all laws passed as Acts by the Parliament of the Federation after the coming into operation of this Act.

2. (1) The Clerk of the Parliaments shall forthwith after enactment, prepare a copy of each Bill as passed by both Houses of Parliament or by the House of Representatives as the case may be, embodying all amendments agreed to, and shall endorse on the Bill and sign a certificate that the copy has been prepared as prescribed by this section and is a true copy of that Bill.

Authentica-  
tion of Bills  
for assent.

(2) The Clerk of the Parliaments shall as from time to time directed by the Speaker of the House of Representatives prepare a schedule of Bills passed at any time during a session and intended to be presented for assent; and shall certify on the schedule that it is a true and correct record. The schedule shall set forth the long title of a Bill and a summary of its contents and the respective dates on which each Bill passed each House of Parliament; and subject to the provisions of this section, when signed by the Clerk of the Parliaments the certificate shall be conclusive for all purposes. If a Bill in the schedule is one to which section 59 of the Constitution of the Federation applies, the schedule shall, in addition, be endorsed with the prescribed certificate of the Speaker of the House of Representatives in respect of that Bill.

(3) Nothing in this section shall abrogate any special requirements prescribed for the entrenched sections of the Constitution Order or the Constitution of the Federation, and any other certificate shall be endorsed and signed by the Clerk of the Parliaments as directed by the Speaker of the House of Representatives, on the Bill before the preparation of the schedule. 5

Presentations  
of Bills for  
assent.

3. (1) The schedule and copies of the Bills shall be presented to the Governor-General in duplicate. If the Governor-General is satisfied, he shall cause the schedule to be passed under the public seal of the Federation after affixing his signature to the schedule; and unless otherwise prescribed an Act shall come into operation on the date when the schedule was assented to by the Governor-General. 10

(2) A duplicate of the schedule when passed and signed shall be returned to the Clerk of the Parliaments who shall cause a copy to be published in the Gazette; and the production of a copy of the Gazette containing the schedule as published shall be conclusive evidence for all purposes. 15

Classifica-  
tion and  
numbering  
of Acts.

4. (1) The Clerk of the Parliaments shall in each year distinguish between Acts having application throughout the Federation and Acts having application only within the Federal Territory by assigning to them numbers consecutive in each series beginning in each year with the number one, and shall insert the date of commencement or, if the date of commencement is deferred, a reference to the section. 20

(2) The numbers shall be assigned by the Clerk of the Parliaments forthwith upon the return to him of the duplicate schedule as approved. Where necessary in any year the numbers already assigned in printed copies of Acts may be altered under the authority of this subsection on certificate by the Clerk of the Parliaments, and if altered, a notice thereof shall be published in the Gazette. 25

Printing of  
Acts.

5. (1) Every Act when numbered shall immediately be set up in fair and legible type by the Government Printer and have endorsed on the back that it is published by authority; and an impression in triplicate from the type set up shall be struck off by the Government Printer on vellum or on paper of an enduring quality. 30

(2) The Clerk of the Parliaments shall retain one copy for his records and deliver one copy to the Governor-General and the other copy to the Chief Justice of the Federation to be enrolled in the Federal Supreme Court. 35

(3) All other copies of the Act shall in the first instance be impressions from the same form. 40

Evidence of  
Acts.

6. Every Act which purports to be published by authority and bears a number and reference to a year and a date of commencement or reference to a section shall be received in all Courts and by all persons as sufficient evidence that it has been assented to in Her Majesty's name.

Repeal.  
Cap. 18.

7. The Ordinances Authentication Ordinance is repealed. 45

(Bills 777)

## MINERALS (AMENDMENT)

### EXPLANATORY MEMORANDUM

Hitherto it has been possible to grant only one renewal of a mining lease or 200 acres or more under the Minerals Ordinance. As a result, every such lease after the first and only renewal has had to be treated as a fresh lease with attendant loss of time and money to the public and intending lessors. The amendment to section 37 seeks to allow further subsequent renewals at the discretion of the Minister after the expiry of the first term of renewal of the lease.

The amendment to section 64 restores the original position, before the consolidated re-enactment of the Minerals Ordinance took place in 1945, when survey of mining rights, was a discretionary matter.

MAITAMA SULE,  
*Minister of Mines and Power*

## MINERALS (AMENDMENT)

### ARRANGEMENT OF CLAUSES

#### *Clause*

1. Short title, etc.
2. Section 37 of Ordinance amended.
3. Section 64 of Ordinance amended.

# A BILL

FOR

## AN ACT TO AMEND THE MINERALS ORDINANCE

[ ]

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) This Act may be cited as the Minerals (Amendment) Act, 1961, and shall be read as one with the Minerals Ordinance (herein after called the Ordinance). Short title, etc.

(2) This Act shall be of Federal application.

2. Section 37 of the Ordinance is amended,—

Section 37  
of  
Ordinance  
amended.

10 (a) by repealing in subsection (2) the words "but shall not have the right to any subsequent renewal of the lease"; and

(b) by inserting immediately after subsection (2) a new subsection (2a) as follows—

15 "2a) Where a lessee not less than six months before the expiry of his lease makes application in writing to the Chief Inspector for any further renewal of his lease, and the Chief Inspector is satisfied that work under the lease is being done in a proper manner according to the nature of the lease and the lease is not liable to forfeiture on any other grounds the Minister, after con-  
20 sidering the advice of the Chief Inspector, may in his discretion and upon such terms and conditions as he thinks fit authorise the further renewal, or without being called upon to assign a reason may refuse the further renewal."

3. For section 64 of the Ordinance there is substituted the following new section,—

Section 64  
of  
Ordinance  
replaced.

25 "Require-  
ment as to  
survey.  
Cap. 194.  
30 64. (1) Subject to the provisions of this section, the Minister shall, before granting any mining lease or exclusive prospecting licence, and may, before granting any mining right or water licence, require the area to be surveyed in accordance with the provisions of the Survey Ordinance, and the cost of the survey shall be paid by the applicant for the lease, licence or right as the case may be at the rate prescribed by this or any other Ordinance.

(2) The Minister may if he thinks fit waive the requirements of this section as to survey in the case of any exclusive prospecting licence."

## NIGERIAN BROADCASTING CORPORATION (AMENDMENT)

### EXPLANATORY MEMORANDUM

This bill seeks to amend the Nigerian Broadcasting Corporation Ordinance (Cap. 133) to enable the Minister responsible for broadcasting to give general and specific directions to the Corporation on matters of policy, and also to enable him, after consultation when appropriate, to make recommendations to the Governor-General in Council as to the appointment of all members of the Corporation.

2. In addition there are a number of consequential amendments arising from Nigeria's assumption of Independent Status.

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

## NIGERIAN BROADCASTING CORPORATION (AMENDMENT)

### ARRANGEMENT OF CLAUSES

#### *Clause*

1. Short title, etc.
2. Section 5 of Ordinance replaced.
3. Section 6 of Ordinance amended.
4. Section 10 of Ordinance amended.
5. Section 20 of Ordinance amended.
6. Section 24 of Ordinance amended.
7. Section 28 of Ordinance amended.
8. Section 30 of Ordinance amended.
9. Section 31 of Ordinance amended.
10. Section 54 of Ordinance amended.
11. Miscellaneous repeals.

## A BILL

FOR

AN ACT TO AMEND THE NIGERIAN BROADCASTING CORPORATION ORDINANCE  
(CHAPTER 133)

[ ]

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) This Act may be cited as the Nigerian Broadcasting Corporation (Amendment) Act, 1961, and shall be read as one with the Nigerian Broadcasting Corporation Ordinance (hereinafter called the Ordinance).

Short title,  
etc.  
Cap. 133

(2) This Act shall apply to the Federation.

2. Section 5 of the Ordinance is hereby repealed and replaced by the following new section—

Section 5 of  
Ordinance  
replaced.

5. (1) The Corporation shall consist of the following members—

“Constitu-  
tion of the  
Corporation.

(a) the Chairman ;

(b) the Chairman for the time being of each Regional Board ;

(c) the Director-General as a member without vote ;

(d) one person from each Region recommended by the Minister responsible for broadcasting in virtue of the knowledge of that person of the culture, characteristics and affairs of the particular Region and his close touch with opinion in that Region ;

(e) one person who in the opinion of the Minister is qualified as having experience of and shown capacity in telecommunications ;

(f) one person who in the opinion of the Minister is qualified as having experience of and shown capacity in public finance ;

(g) four persons who in the opinion of the Minister are in virtue of their individual qualities broadly representative of the general public of Nigeria as a whole or of any particular section or class of Nigerian citizens ;

(h) one person chosen to represent the Federal territory in virtue of his close touch with opinion in the Federal territory ;

(i) one person holding office in the Ministry responsible for broadcasting.

(j) one person holding office in the Ministry of Foreign Affairs and Commonwealth Relations.



(2) The Chairman and other members of the Corporation shall, unless they are members by virtue of office, be appointed if from the Federal territory, by the Governor-General in Council on the recommendation of the Minister, and if from any Region shall be appointed by the Governor-General in Council on the recommendation of the Minister after consultation by the Minister with the appropriate Regional Government."

Section 6 of  
Ordinance  
amended.

3. Subsection (3) of section 6 of the Ordinance is amended by repealing the words "under the provisions of paragraph (c) of section 5, the Minister may, on the recommendation of the Governor in Council, Commissioner or Committee on whose recommendation such member was appointed", and substituting therefor the words "otherwise than by virtue of office the Minister may after such consultation as is prescribed by this Ordinance".

Section 10 of  
Ordinance  
amended.

4. Section 10 of the Ordinance is amended—

(a) in subsection (1) by inserting immediately after the word "service" the words "in the interest of the Federation";

(b) in subsection (3) by substituting for the words "or part of the Federation" the words "and of the Federal territory"; and

(c) by inserting immediately after subsection (3) a new subsection (3) (a) as follows—

"(3) (a). The Minister may, after consultation with the Corporation, give to the Corporation general or specific directions on matters of policy or matters appearing to the Minister to be of public interest, and the Corporation shall give effect to all such directions."

Section 20 of  
Ordinance  
amended.

5. Section 20 of the Ordinance is amended,—

(a) in subsection (1) by substituting for the words "Governor in Council of the Region" where they occur in paragraphs (a) and (b), the words "Governor-General in Council on the recommendation of the Minister after consultation with the appropriate Regional Government"; and

(b) in subsection (2) by substituting for all words after "application" the words "the Minister shall exercise his powers after considering the recommendation of the Governor in Council of the Region."

Section 24 of  
Ordinance  
amended.

6. Section 24 of the Ordinance is amended—

(a) by inserting at the commencement of subsection (1) the words "Subject to the provisions of this section"; and

(b) by inserting immediately after subsection (2) a new subsection (3) as follows—

"(3) A Regional Board in the exercise of its functions shall take into consideration any general or specific directions in writing which the Minister after consultation with the Regional Board may give to the Regional Board; and for the purposes of this subsection the Minister shall be deemed to have all necessary powers to give such directions."



7. Subsection (1) of section 28 of the Ordinance is amended—  
 (a) by substituting for the words “vernacular language which” the words “other language in use in Nigeria or as”; and  
 (b) by substituting for the words “vernacular language” where they twice occur thereafter the words “other language in common use in Nigeria”.
8. Section 30 of the Ordinance is amended in paragraph (b) by substituting for the words “policies of Her Majesty’s Government in the United Kingdom or” the words “policy of”.
9. Subsection (1) of section 31 of the Ordinance is amended by substituting for the words “part of the Federation” the words “the Federal territory”.
10. Section 54 of the Ordinance is amended—  
 (a) in subsection (1) by substituting for the words “Persons employed by the Corporation who are not or are not deemed to be, British subjects or British protected persons,” the words “Subject to the provisions of this section, persons employed by the Corporation who are not Nigerian citizens or Commonwealth citizens”; and  
 (b) by adding a new subsection (3) as follows—  
 “(3) Nothing in this section shall affect any persons in the employ of the Corporation who, at the commencement of this Act are British protected persons.”
11. The Ordinance is further amended to the extent set out in the Schedule to this Act.

Section 28 of Ordinance amended.

Section 30 of Ordinance amended.

Section 31 of Ordinance amended.

Section 54 of Ordinance amended.

Miscellaneous repeals.

SCHEDULE

Section 11

Chapter	Short Title	Extent of Amendment
133	Nigerian Broadcasting Corporation Ordinance	(a) in section 2 by repealing the definition of “part of the Federation”; (b) in paragraph (a) of subsection (1) of section 11 by repealing the words “and of the Southern Cameroons”; (c) by repealing subsection (3) of section 15; (d) by repealing section 60; and (e) by repealing clause (a) of paragraph 10 of the Second Schedule.