Improperly receiving gifts

4. If the Chairman or any other member of the Public Service Commission or Judicial Service Commission of the Western Region or the Eastern Region receives any gift, or accepts the promise of any gift, of any kind whatsoever in connection with the performance of his duties he shall be guilty of an offence.

Penalties

5. Any person guilty of an offence under this Schedule shall be liable to a fine not exceeding £200 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment."

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the provisions of the Nigeria (Constitution) Order in Council, 1954, in a number of respects in order to give effect to certain recommendations of the Nigeria Constitutional Conference held in London in May and June, 1957.

1958 No. 1257

The Nigeria (Constitution) (Amendment No. 2) Order in Council, 1958

Made - - - -	30*th July*, 1958
Laid before Parliament	7*th August*, 1958
Coming into Operation	8*th August*, 1958

At the Court at Buckingham Palace, the 30th day of July, 1958

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1958, and shall be construed as one with the Nigeria (Constitution) Orders in Council, 1954 to 1957(b), and the Nigeria (Constitution) (Amendment) Order in Council, 1958(c).

(2) The Nigeria (Constitution) Orders in Council, 1954 to 1957, the Nigeria (Constitution) (Amendment) Order in Council, 1958, and this Order may be cited together as the Nigeria (Constitution) Orders in Council, 1954 to 1958.

(a) 53 & 54 Vict. c. 37. (b) S.I. 1954/1146, 1955/432, 1956/836, 1957/1363, 1530 (1954 II, p. 2829; 1955 II, p. 3163; 1956 II, p. 2953; 1957 II, pp. 3028, 3030).
(c) S.I. 1958/429 (Pt. II, p. 2757, of this volume).

(3) Section 1 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, is amended by the deletion of subsection (2).

(4) This Order shall come into operation on the eighth day of August, 1958:

Provided that—

(*a*) sections 9, 13, 15, 16, 17, 18, 21, 37, 41, 42 and 43 shall be deemed to have come into operation on the first day of April, 1958; and

(*b*) sections 20, 22, 23, 24, 27, 28, 39 and 40 shall come into operation on a date to be fixed by the Governor-General, acting in his discretion, by Proclamation published in the Official Gazette of the Federation.

Amendment of Order of 1954

2. Section 7 of the Nigeria (Constitution) Order in Council, 1954(**a**), (hereinafter called "the principal Order") (as amended by section 5 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957(**b**)) is amended—

(*a*) by the insertion in subsection (4) after paragraph (*a*) of the proviso of the following paragraph:—

"(*aa*) when, after any dissolution of the House of Representatives, he is informed by the Governor-General that the Governor-General is about to re-appoint him as Deputy Speaker or to appoint another person as Deputy Speaker; or"; and

(*b*) by the insertion in subsection (4) after the words "House of Representatives" in paragraph (*b*) of the proviso of the words "for any reason other than a dissolution of that House".

3. Section 20 of the principal Order (as set out in section 8 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the insertion in subsection (2) after paragraphs (*a*), (*b*) and (*c*) of the proviso of the word "or".

4. Section 23 of the principal Order (as amended by section 10 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the insertion in subsection (3) after paragraph (*a*) of the proviso of the following paragraphs:—

"(*aa*) in the case of a person appointed Speaker in pursuance of paragraph (*a*) of subsection (1) of this section, when, after any dissolution of the Northern House of Assembly, he is informed by the Governor that the Governor is about to re-appoint him as Speaker or to appoint another person as Speaker; or

(*aaa*) in the case of the Deputy Speaker, when, after any dissolution of the Northern House of Assembly, he is informed by the Governor that the Governor is about to re-appoint him as Deputy Speaker or to appoint another person as Deputy Speaker; or";

and

(*b*) by the insertion in subsection (3) after the words "Northern House of Assembly" in sub-paragraph (i) of paragraph (*c*) of the words "for any reason other than a dissolution of that House".

(**a**) S.I. 1954/1146 (1954 II, p. 2829). (**b**) S.I. 1957/1530 (1957 II, p. 3030).

5. Section 28 of the principal Order (as amended by section 11 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (3) of the words " by reason of a dissolution of the Western House of Chiefs " and the substitution of the words " when the Western House of Chiefs first sits after any dissolution thereof " ; and

(*b*) by the deletion from subsection (4) of paragraph (*a*) and the substitution of the following paragraph :—

" (*a*) when the House first sits after any dissolution thereof ; or ".

6. Section 31 of the principal Order (as amended by section 14 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (3) of the words " by reason of a dissolution of the Western House of Assembly " and the substitution of the words " when the Western House of Assembly first sits after any dissolution thereof " ; and

(*b*) by the deletion from subsection (4) of paragraph (*a*) and the substitution of the following paragraph :—

" (*a*) when the House first sits after any dissolution thereof ; or ".

7. Section 32 of the principal Order is amended by the deletion from subsection (2) of the word " appointed " and the substitution of the word " elected ".

8. Section 33 of the principal Order is revoked and the following section is substituted:—

" Speaker and Deputy Speaker of Eastern House of Assembly.

33.—(1) When the Eastern House of Assembly first sits after any dissolution of the House, and before it proceeds to the despatch of any other business, the members thereof shall elect to be Speaker of the House—

(*a*) a member of the House ; or

(*b*) a person who is not a member of the House.

(2) When the Eastern House of Assembly first sits after any dissolution of the House, and before it proceeds to the despatch of any other business except the election of a Speaker, the members thereof shall elect to be Deputy Speaker of the House one of the members of the House.

(3) As often as the office of the Speaker or the Deputy Speaker falls vacant otherwise than when the Eastern House of Assembly first sits after any dissolution thereof, the members of that House shall as soon as practicable elect a person to that office in like manner as is provided in subsection (1) or subsection (2) of this section, as the case may be.

(4) The office of the Speaker or the Deputy Speaker of the Eastern House of Assembly shall become vacant—

(*a*) when the House first sits after any dissolution thereof ; or

(*b*) if he resigns his office by writing under his hand addressed to the House ; or

(*c*) in the case of a person elected as Speaker in pursuance of paragraph (*a*) of subsection (1) of this section or in the case of a person elected as Deputy Speaker, if—

(i) he ceases to be a member of the House otherwise than by reason of a dissolution thereof; or

(ii) if he becomes a Regional Minister, Attorney-General of the Eastern Region or a Parliamentary Secretary to a Regional Minister."

9. Section 34 of the principal Order (as amended by section 17 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion of the words "and Development" in paragraph (*b*).

10. Section 35 of the principal Order (as set out in subsection (1) of section 18 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the insertion in subsection (2) after paragraph (*a*) of the proviso of the following paragraph :—

"(*aa*) in the case of a person appointed Speaker in pursuance of paragraph (*a*) of subsection (1) of this section, when, after any dissolution of the House of Assembly of the Southern Cameroons, he is informed by the Commissioner that the Commissioner is about to re-appoint him as Speaker or to appoint another person as Speaker; or"; and

(*b*) by the insertion in subsection (2) after the words "Southern Cameroons" in sub-paragraph (i) of paragraph (*c*) of the words "for any reason other than a dissolution of that House".

11. Section 50 of the principal Order (as amended by section 28 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked and the following section is substituted :—

"Discharge of functions of Speaker or President of Legislative House.

50.—(1) If the office of Speaker or President of a Legislative House (other than the House of Assembly of the Southern Cameroons) is vacant, or if the Speaker or President is for any reason unable to perform any functions conferred upon him by this Order or any other law, those functions may be performed by the Deputy Speaker or Deputy President of the House.

(2) If the office of Speaker of the House of Assembly of the Southern Cameroons is vacant, or the Speaker is for any reason unable to perform any functions conferred upon him by this Order or any other law, those functions may be performed by such person, if any, as the Commissioner of the Cameroons, acting in his discretion, may appoint in that behalf.

(3) The references in this section to the functions conferred upon the Speaker or President of a Legislative House by this Order do not include the functions conferred upon him by sections 61, 62, 72 and 75 of this Order."

12. Section 61 of the principal Order is revoked and the following section is substituted:—

"Restrictions with regard to Bills etc, that charge the revenue.

61.—(1) Except upon the recommendation of the Governor-General, the House of Representatives shall not—

(*a*) proceed upon any Bill (including any amendment to a Bill) that, in the opinion of the Speaker or other person presiding in the House, makes provision for imposing or increasing any tax, for imposing or increasing any charge on the Consolidated Revenue Fund of the Federation or the other public funds of the Federation or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to the Federation; or

(*b*) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the Speaker or other person presiding in the House, is that provision should be made as aforesaid; or

(*c*) receive any petition that, in the opinion of the Speaker or other person presiding in the House, requests that provision should be made as aforesaid.

(2) The provisions of subsection (1) of this section shall apply in relation to a Regional Legislative House as they apply in relation to the House of Representatives, and for that purpose references to the Federation and the Governor-General shall be construed as if they were references to the Region and the Governor of the Region.

(3) The provisions of subsection (1) of this section shall apply in relation to the House of Assembly of the Southern Cameroons as they apply in relation to the House of Representatives, and for that purpose references to the Federation and the Governor-General shall be construed as if they were references to the Southern Cameroons and the Commissioner of the Cameroons."

13. Section 75 of the principal Order (as amended by section 4 of the Nigeria (Constitution) (Amendment) Order in Council, 1956(a), and section 48 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion of the words "section 24 of this Order shall not" in paragraph (ii) of the proviso to paragraph (*a*) and the substitution of the words "section 29 of this Order shall not".

14. Section 80 of the principal Order (as amended by section 50 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (1) of the words "The first session of the House of Representatives shall begin within twelve months after the commencement of this Order; and thereafter sessions of the House" in paragraph (*b*) and the substitution of the words "Sessions of the House of Representatives"; and

(*b*) by the insertion in subsection (3) after the words "the Governor-General" and after the words "the High Commissioner for the Southern Cameroons" of the word "and".

(a) S.I. 1956/836 (1956 II, p. 2953).

15. Section 109 of the principal Order (as amended by section 57 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion from subsection (1) of the word "Eastern" in paragraph (*b*) and the substitution of the word "Western".

16. Section 125 of the principal Order (as set out in section 64 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion from subsection (4) of the words "the Council of Ministers" and the substitution of the words "the Executive Council".

17. Section 126 of the principal Order (as amended by section 65 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion of the words "and Development" in paragraph (*b*).

18. Section 128 of the principal Order (as set out in section 66 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion of the words "the Legislative House from among the members of which he was appointed" in paragraph (*a*) of the proviso and the substitution of the words "the House of Assembly of the Southern Cameroons".

19. Section 142c of the principal Order (as set out in subsection (1) of section 76 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the insertion after subsection (4) of the following subsection:—

"(5) The provisions of section 6, section 7 (other than the proviso) and sections 8 to 20 of the Commissions of Inquiry Ordinance(a) as in force on the twenty-ninth day of August, 1957, shall apply in relation to a tribunal appointed under subsection (3) of this section as they apply in relation to commissioners appointed under that Ordinance, and for that purpose those provisions shall have effect as if they formed part of this Order."

20. Section 172 of the principal Order (as amended by section 45 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and section 92 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion of subsection (1).

21. Section 180c of the principal Order (as set out in section 99 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion from subsection (7) of the word "duties," and the substitution of the word "duties)".

22. Section 189 of the principal Order (as amended by section 101 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion from subsection (3) of the words "section 190B, 195 and 197" and the substitution of the words "Subsection (1) of section 190B".

23. Section 190 of the principal Order is revoked.

24. Section 190A of the principal Order (as set out in subsection (1) of section 102 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked.

(a) Laws of Nigeria, Rev. 1948, Chapter 37.

25.—(1) Section 190B of the principal Order (as set out in subsection (1) of section 102 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked and the following section is substituted:—

"Grant of pensions etc. by Governors of Western and Eastern Regions.

190B.—(1) Power to grant benefits under any pensions law in force in the Western Region or the Eastern Region shall vest in the Governor.

(2) No benefits as aforesaid shall be withheld, reduced in amount or suspended except in accordance with the provisions of subsection (3) of this section.

(3) If any person who has been granted, or who is eligible for the grant of, any benefits under any pensions law in force in the Western Region or the Eastern Region—

(*a*) has been adjudged or otherwise declared bankrupt under any law in force in any part of Her Majesty's dominions; or

(*b*) has been sentenced by a court in any part of Her Majesty's dominions to imprisonment (by whatever name called), and has not received a free pardon; or

(*c*) has been guilty of negligence, irregularity or misconduct while serving as an officer in the public service of the Region; or

(*d*) having served as such an officer, has without the written permission of the Governor, acting (in the case of permissions granted after this section comes into force) after consultation with the Public Service Commission of the Region, accepted employment as a director, officer or servant of a company the principal part of whose business is concerned with Nigeria,

the Governor, after consultation with the Public Service Commission of the Region, may withhold, reduce or suspend those benefits in accordance with any provisions in that behalf in that pensions law if he is satisfied that those benefits ought to be withheld, reduced or suspended.

(4) Any benefits granted under any pensions law in force in the Western Region or the Eastern Region shall be a charge on the Consolidated Revenue Fund of the Region.

(5) In this section "pensions law" means any law enacted by any legislature in Nigeria relating to the grant of pensions, gratuities and other like benefits to persons who are or have been officers in the public service of the Western Region or the public service of the Eastern Region in respect of their service in that public service or to the widows, children, dependants and personal representatives of such persons in respect of such service and includes any instrument made under any such law."

(2) For the purposes of subsections (1), (2) and (3) of section 190B of the principal Order (as set out in subsection (1) of this section) the regulations made under Part 2 of Chapter VII of the principal Order shall, in so far as they relate to the grant of benefits to officers in the public service of the Western Region or the public service of the Eastern Region, as the case may be, be deemed to be a pensions law.

26. Section 191 of the principal Order (as amended by section 9 of the Nigeria (Constitution) (Amendment) Order in Council, 1956, section 47 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and section 103 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked.

27. Section 191A of the principal Order (as set out in section 48 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and as amended by section 104 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked.

28.—(1) Sections 192, 193, 194, 195, 196 and 197 of the principal Order (as set out in subsection (1) of section 49 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957) are revoked.

(2) The regulations made under Part 2 of Chapter VII of the principal Order and in force immediately before the commencement of this section shall continue in force in so far as they relate to the grant of benefits to officers in the public service of the Federation or a Region who retired before the thirtieth day of August, 1957, and may be amended or revoked as if this Order had not been made; and the provisions of subsection (2) of section 197 of the principal Order shall continue to apply in relation to benefits granted thereunder as if that section had not been revoked by subsection (1) of this section.

29. Sections 202, 203, 204, 205, 206, 207, 208, 209, 210 and 211 of the principal Order are revoked.

30. Section 212 of the principal Order is amended—

(*a*) by the deletion from subsection (2) of paragraph (*a*);

(*b*) by the deletion from subsection (2) of the words "and the former Western Region" and the words "and the Western Region" in paragraph (*b*);

(*c*) by the deletion from subsection (2) of paragraph (*c*); and

(*d*) by the deletion from subsection (3) of the words "the Federal Legislature or the Legislative Houses of any Region or the Southern Cameroons" and the substitution of the words "the Legislative Houses of the Northern Region".

31. Section 213 of the principal Order is amended—

(*a*) by the deletion from subsection (2) of the words "and the former Western Region" and the words "and the Western Region" in paragraph (*b*);

(*b*) by the deletion from subsection (2) of the words "the Eastern House of Assembly and" in paragraph (*c*); and

(*c*) by the deletion from subsection (3) of the words "any Region or the Southern Cameroons" and the substitution of the words "the Northern Region and the House of Assembly of the Southern Cameroons and the members thereof".

32. Section 214 of the principal Order is amended by the deletion of paragraphs (*b*), (*c*), (*d*) and (*e*).

33. Sections 215, 216, 217, 218 and 219 of the principal Order are revoked.

34. Section 231 of the principal Order (as set out in subsection (1) of Section 106 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (1) of the words " against any law enacted by the Federal Legislature or any regulation made under section 8, 135, 177 or 177c of this Order " in paragraph (*a*) and the substitution of the words " to which this section applies " ;

(*b*) by the deletion from subsection (1) of paragraph (*b*) ;

(*c*) by the insertion in subsection (1) after the words " criminal proceedings " in paragraph (*d*) of the words " as aforesaid " ; and

(*d*) by the insertion after subsection (7) of the following subsections :—

" (8) For the purposes of this section any appeal from any determination in any criminal proceedings before any court or any case stated or question of law reserved for the purposes of any such proceedings to any other court in Nigeria or to the Judicial Committee of Her Majesty's Privy Council shall be deemed to be part of those proceedings.

(9) The offences to which this section applies are offences against any law in force in Nigeria other than—

(*a*) offences against a law enacted by the Legislature of a Region or against any instrument made under any law so enacted ;

(*b*) offences against any instrument made by the Governor otherwise than under any law so enacted ; or

(*c*) such offences against any other law in force in a Region, not being a law enacted by a legislature in Nigeria or an instrument made under a law so enacted, as the Governor-General may by Order published in the Official Gazette of the Federation prescribe."

35. Section 232 of the principal Order (as set out in subsection (1) of Section 106 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (1) of the words " not being an offence against any law enacted by the Federal Legislature or any regulations made under section 8, 135, 177 or 177c of this Order," in paragraph (*a*) and the substitution of the words " to which this section applies " ; and

(*b*) by the insertion after subsection (6) of the following subsections : —

" (7) For the purposes of this section any appeal from any determination in any criminal proceedings before any court or any case stated or question of law reserved for the purposes of any such proceedings to any other court in Nigeria or to the Judicial Committee of Her Majesty's Privy Council shall be deemed to be part of those proceedings.

(8) The offences to which this section applies are offences against any law in force in the Northern Region other than offences to which section 231 of this Order applies."

36. Section 233 of the principal Order (as set out in subsection (1) of Section 106 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended—

(*a*) by the deletion from subsection (1) of the words " not being an offence against any law enacted by the Federal Legislature or any regulations made under section 8, 135, 177 or 177c of this Order " in paragraph (*a*) and the substitution of the words " to which this section applies " ; and

(*b*) by the insertion after subsection (6) of the following subsections:—

" (7) For the purposes of this section any appeal from any determination in any criminal proceedings before any court or any case stated or question of law reserved for the purposes of any such proceedings to any other court in Nigeria or to the Judicial Committee of Her Majesty's Privy Council shall be deemed to be part of those proceedings.

(8) The offences to which this section applies in relation to the Western Region or the Eastern Region are offences against any law in force in that Region other than offences to which section 231 of this Order applies."

37. Section 235 of the principal Order (as set out in subsection (1) of section 106 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the deletion from subsection (3) of the words " section 7 " and the substitution of the words " section 17 ".

38. Section 236 of the principal Order (as set out in subsection (1) of section 106 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is amended by the insertion after subsection (5) of the following subsection:—

" (6) (*a*) All questions proposed for determination in the House of Chiefs of the Southern Cameroons shall be determined by a majority of the votes of the members present and voting:

Provided that—

(i) the President shall not have an original vote but he may give a casting vote if on any question the votes are equally divided ;

(ii) the members of the House mentioned in paragraph (*c*) of subsection (2) of this section shall not have an original vote.

(*b*) If on any question the votes are equally divided and the President does not exercise the casting vote the motion shall be lost."

39. The Fourth Schedule to the principal Order (as amended by section 17 of the Nigeria (Constitution) (Amendment) Order in Council, 1956, section 52 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and section 108 of the Nigeria (Constitution) (Amendment) Order in Council, 1958) is revoked.

Amendment of s. 49 *of Order of* 1957

40. Section 49 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, is amended by the deletion of subsections (2) and (3).

Amendment of Order of 1958

41. Section 9 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, is amended by the deletion from subsection (1) of the words "subsection (1)" and the substitution of the words "subsection (2)".

42. Section 64 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, is amended by the deletion from paragraph (*b*) of the words "the following subsection" and the substitution of the words "the following subsections".

43. Section 80 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, is amended by the deletion of the words "subsection (3)" in paragraph (*a*) and the substitution of the words "subsection (4)".

44. Section 102 of the Nigeria (Constitution) (Amendment) Order in Council, 1958, is amended by the deletion of subsection (2).

Validation of appointment

45. The appointment of Geoffrey Lionel Jobling to be a judge of the High Court of Justice of Lagos made by the Governor-General on the thirty-first day of December, 1955, in purported exercise of the powers conferred upon him by paragraph (*b*) of subsection (2) of section 142 of the principal Order as it applied in relation to Lagos by virtue of subsection (3) of that section shall for all purposes whatsoever be, and be deemed always to have been, duly made notwithstanding that the said Geoffrey Lionel Jobling had attained the age of sixty-two years before that date, and all acts and things done by the said Geoffrey Lionel Jobling before the commencement of this Order in exercise of the functions of the office of judge of the High Court of Justice of Lagos or the office of judge of the High Court of Justice of the Southern Cameroons shall accordingly be deemed to have been validly and effectually done.

Adaptation of existing laws

46.—(1) The Governor-General may, by Order published in the Official Gazette of the Federation, at any time within twelve months after the commencement of this Order provide that any existing law shall be read and construed with such adaptations and modifications as may appear to the Governor-General to be necessary or expedient for bringing the provisions of that law into accord with the provisions of the principal Order, as amended by this Order, or otherwise for giving effect or enabling effect to be given to those provisions; and any existing law shall have effect accordingly from such date as may be specified in the Order, not being a date earlier than the commencement of this Order.

(2) In this section "existing law" means a law in force or having effect immediately before the commencement of this Order that was enacted by any legislature in Nigeria and includes any instrument made in pursuance of any such law.

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends certain provisions of the Nigeria (Constitution) Order in Council, 1954, relating to the legislatures established by the Order, the Executive Council of the Southern Cameroons, officers in the public services of the Federation and the Regions of Nigeria, powers in relation to prosecutions and the Council of Chiefs of the Southern Cameroons and revokes certain transitional provisions. It also validates the appointment of a judge of the High Court of Lagos.

1958 No. 1522

The Nigeria (Constitution) (Amendment No. 3) Order in Council, 1958

Made - - - -	11*th September*, 1958
Laid before Parliament	17*th September*, 1958
Coming into Operation	18*th September*, 1958

At the Court at Balmoral, the 11th day of September, 1958

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Nigeria (Constitution) (Amendment No. 3) Order in Council, 1958, and shall be construed as one with the Nigeria (Constitution) Orders in Council, 1954 to 1957(b), the Nigeria (Constitution) (Amendment) Order in Council, 1958(c), and the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1958(d).

(2) The Nigeria (Constitution) Orders in Council, 1954 to 1957, the Nigeria (Constitution) (Amendment) Order in Council, 1958, the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1958, and this Order may be cited together as the Nigeria (Constitution) Orders in Council, 1954 to 1958.

(3) Section 1 of the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1958, is amended by the deletion of subsection (2).

(4) This Order shall come into operation on the eighteenth day of September, 1958:

Provided that subsection (2) of section 2 shall be deemed to have come into operation on the first day of April, 1958.

(a) 53 & 54 Vict. c. 37. (b) S.I. 1954/1146, 1955/432, 1956/836, 1957/1363, 1530 (1954 II, p. 2829; 1955 II, p. 3163; 1956 II, p. 2953; 1957 II, pp. 3028, 3030).
(c) S.I. 1958/429 (Pt. II, p. 2757, of this volume).
(d) S.I. 1958/1257 (Pt. II, p. 2811, of this volume).